

**North Carolina  
Part B Annual Performance Report (APR) for 2009-10  
February 1, 2011**

**Overview of the Annual Performance Report Development:**

The North Carolina Department of Public Instruction (NCDPI), Exceptional Children Division gathered and analyzed data for the development of the Annual Performance Report (APR). Throughout the year, Exceptional Children Division staff met monthly to review and analyze progress made toward the development of the APR. Following discussions, reviews and analyses at each meeting, staff provided input for use in the continuing development of the APR. In the fall of 2010, during the monthly meetings, staff continued a process of evaluating improvement activities contained in the APR. The *SPP/APR Improvement Activity Review Checklist* was used to guide and document the evaluation of improvement activities. The Exceptional Children Division plans to continue this evaluation process during 2010-11, along with using a logic model for evaluating key initiatives that are data-rich and crossover two or more Indicators. Use of the logic model for evaluation will help to identify those improvement activities that are effective in improving outcomes for students with disabilities.

The Council on Educational Services for Exceptional Children, the State Advisory Panel, serves as the Stakeholder Steering Committee. Exceptional Children Division staff members were scheduled to present data and information, review progress made, and solicit members' input toward the development of the APR at the Council's quarterly meeting in December 2010; however the meeting had to be cancelled due to inclement weather. Handouts were sent electronically to Council members and the meeting was rescheduled as a webinar in January 2011. Due to technical difficulties and a lack of a Council quorum during the webinar, the meeting was not completed and input was solicited electronically from Council members.

In April of 2011, the North Carolina Department of Public Instruction (NCDPI), Exceptional Children Division will report to the public on the progress and/or slippage in meeting the measurable and rigorous targets. The APR will be posted on the NCDPI web page and distributed directly to the Local Education Agencies (LEAs). In addition, it will be made available to the media. The Exceptional Children Division will report on the performance of each LEA on the targets in the State Performance Plan by June 1, 2011. The reports will be posted on the Department's website, will be sent to the LEAs, and distributed to local and regional media.

The 2009-10 APR contains information specific to measuring progress or slippage against State targets for Indicators 1, 2, 3, 4a, 5, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19 and 20. States are not required to submit information on Indicator 6 in the 2009-10 APR. Baseline data for Indicators 4b, 7, 13, and 14 are submitted through the 2009-10 revised SPP. An OSEP approved sampling plan was used for Indicators 8 and 14. North Carolina once again contracted with PEIDRA Services, Inc. to collect and analyze parent involvement data for Indicator 8 and the University of North Carolina at Charlotte to collect and analyze postsecondary outcome data for Indicator 14.

The APR also proposes some required revisions to the State Performance Plan (SPP). These revisions were made in the SPP.

NCDPI has developed its *2009-10 Annual Performance Report* with input from the stakeholders' steering committee. Additional stakeholder involvement included input from LEA Special Education Administrators, the Mid-South Regional Resource Center (MSRRC), other federal Training/Technical Assistance Centers, early childhood specialists, and NCDPI staff.

Documents included with the submission of the 2009-10 APR are as follows:

- Indicator 15 Worksheet
- Indicator 20 Rubric

## Part B State Annual Performance Report (APR) for 2009-10

**Overview of the Annual Performance Report Development:** See description in Overview Section.

**Monitoring Priority: FAPE in the LRE**

1. **Indicator 1:** Percent of youth with IEPs graduating from high school with a regular diploma.

(20 U.S.C. 1416 (a)(3)(A))

**Measurement:** 4-Year Cohort Graduation Rate is the ratio of youths with IEPs graduating with a regular diploma in 2008-09, or earlier, to all youths with IEPs entering ninth grade in 2005-06 for the first time.

Youths with IEPs entering ninth grade in 2005-06 & graduating with a regular diploma in 2008-09 or earlier ÷ All youths with IEPs entering ninth grade in 2005-06 for the first time X 100 = Percent of youths with IEPs in the state graduating from high school with a regular diploma.

The 4-Year Cohort Graduation Rate used for youths with IEPs is the same graduation rate calculation and timeline used for all students in North Carolina as established by the Department under the ESEA.

| FFY     | Measurable and Rigorous Target   |
|---------|--|
| 2008-09 | 80% of youths with IEPs graduating from high school with regular diplomas. |

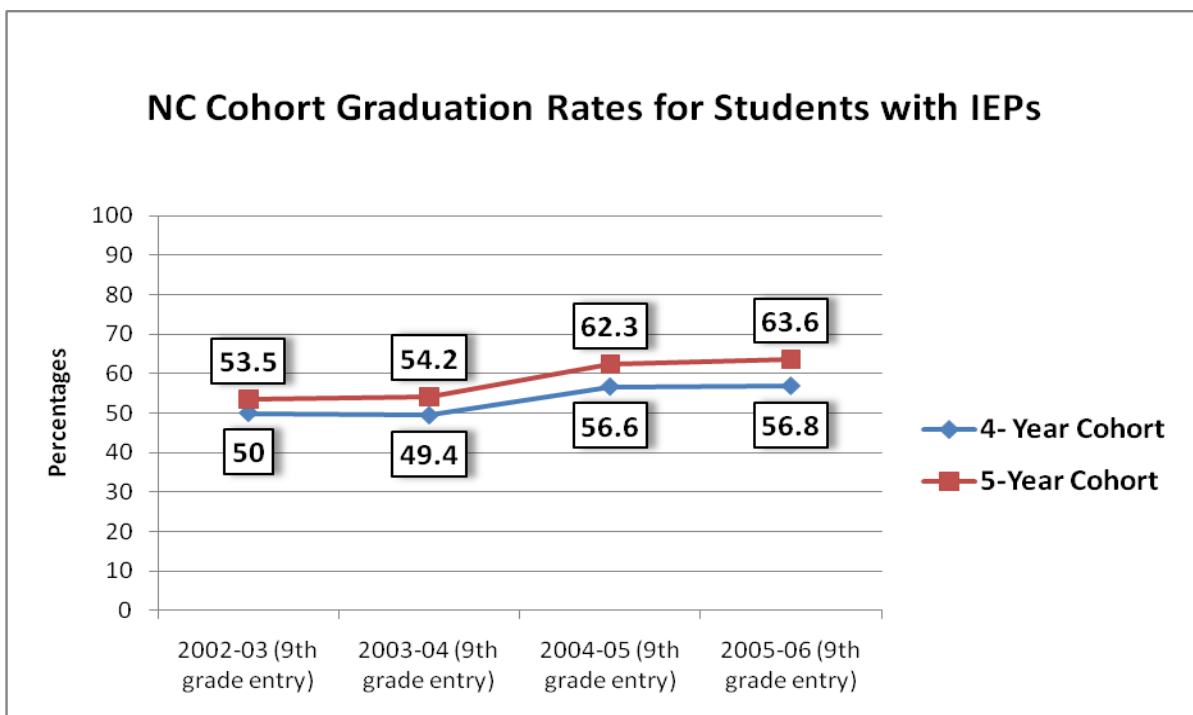
**Actual Target Data for 2008-09:**

|   |   |  |  |
|---|---|--|--|
| Percent of youths with IEPs entering ninth grade in 2005-06 and graduating with a regular high school diploma in 2008-09 or earlier | Number of youths with IEPs entering 9 <sup>th</sup> grade in 2005-06 for the first time.<br>(Denominator) | 2005-06 entering youths with IEPs, who graduated with a regular diploma in 2008-09 or earlier<br>(Numerator) | Change from 2007-08 cohort graduation rate |
| 56.8 %  | 10438   | 5929   | + 0.2 percentage points                    |

Data sources for graduates for cohort graduation rate: SIMS/NCWISE 20<sup>th</sup> day membership files for 2008-09 & for 4 years in past; the collection of student names associated with Graduation Intention Surveys, and dropout files collected historically (NCDPI\Accountability\Reporting 7/25/09 and NC's Consolidated State Performance Report 12/17/10).

**Additional Data****Five-Year Cohort Data:**

|  |   |   |  |
|--|---|---|--|
| Percent of youths with IEPs entering ninth grade in 2005-06 and graduating with a regular high school diploma in five years or earlier | Number of youths with IEPs entering 9 <sup>th</sup> grade in 2004-05 for the first time.<br>(Denominator) | 2004-05 entering youths with IEPs, who graduated with a regular diploma in five years or earlier<br>(Numerator) | Change from previous 5-year cohort graduation rate |
| <b>63.6%</b>   | <b>10441</b>  | <b>6641</b>   | <b>+ 1.3 percentage points</b>                     |



Source: NCDPI\Accountability\Reporting and NCDPI Consolidated State Performance Reports

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:**

| Activity                             | Timeline  | Status   |
|--------------------------------------|-----------|--|
| Focused Monitoring of selected LEAs. | 2007-2010 | <b>Completed for 2008-09</b> - Conducted Focused Monitoring in 4 traditional LEAs. Through on-site visits, that included record reviews, interviews and program observations, the monitoring included a thorough examination of issues regarding graduation, dropouts, IEP transition components and post school outcomes. |

|   |             |   |
|---|-------------|---|
| Provide focused technical assistance to LEAs on implementing practices, procedures and strategies to increase the number of regular diplomas awarded to students with disabilities.   | 2007-2010   | <b>Completed for 2008-09</b> - The EC Division provided follow-up technical assistance to 4 traditional LEAs that received Focused Monitoring in 2008-09 and continuing follow-up technical assistance to 4 LEAs that received Focused Monitoring in 2007-08. The focus of the follow-up technical assistance was on implementing practices, procedures, and strategies to increase the number of regular diplomas awarded to students with disabilities and reducing the number of students with disabilities that drop out. |
| Disseminate information to LEAs identifying which systems show high numbers of regular diplomas awarded to students with IEPs and share their process and practices used in increasing the number of youth with disabilities graduating with a regular diploma. | 2006-2008   | <b>Completed for 2008-09</b> - LEAs effective processes and practices, regarding increases in regular diplomas awarded to youth with disabilities, were shared during 6 regional Continuous Improvement Performance Plan (CIPP) follow-up meetings for LEAs and SOPs conducted in February 2009 and one CIPP follow-up meeting for public charter schools conducted in March 2009.  |
| Continue monitoring LEA data to determine increase in number of regular diplomas awarded to students with disabilities compared to regular diplomas awarded to students without an IEP.   | 2008-2010   | <b>Completed for 2008-09</b> - Although this is no longer a requirement of this Indicator, NCDPI analyzed and used this data (comparison to regular diplomas awarded to students without IEPs) for LEAs involved in Focused Monitoring. This type of State data comparison has also been presented to the State Board of Education and at statewide conferences.  |
| Professional development will be conducted in NC's 8 regions for all LEAs regarding the new graduation requirements that will take effect in 2010. The professional development will be conducted jointly with other NCDPI divisions.                           | 2009 - 2010 | Trainings on the new graduation requirements were conducted as follows: the remaining 24 of 32 regional trainings in collaboration with Vocational Rehabilitation; & 6 of 8 regional EC Directors' meetings; and additional trainings upon requests.  |

|  |             |  |
|--|-------------|--|
| Increase the promotion and implementation of research-based reading, math and writing instructional strategies in special and general education settings.            | 2010 – 2011 | Research-based reading, math and writing instructional strategies were promoted and implemented through NC's 7 Reading/ Writing Instruction Demonstration Centers; 77 research-based reading/ writing instruction sites, including early literacy instruction; 4 regional Mathematics Instruction Demonstration Centers; and 30 research-based mathematics instruction sites, all located in LEAs. |
| Increase the promotion and implementation of Positive Behavior Intervention and Support, Instructional Consultation Teams, and Responsiveness to Instruction Models. | 2010 – 2011 | Since 2001, more than 100 LEAs, including more than 720 school buildings, have been trained and are in various stages of implementing Positive Behavior Intervention and Support; 8 traditional LEAs have been trained and are implementing Instructional Consultation Teams; and 101 LEAs have been trained and are in various stages of implementation of Responsiveness to Instruction Models.  |

**Explanation of Progress:**

North Carolina did not meet the target of 80%; however, the entering 2005-06 ninth graders 4-year cohort graduation rate of 56.8% represents a 0.2 percentage point increase. There was a decrease of 1,400 students with IEPs entering ninth grade in 2004-05 (9,316 students with IEPs) and an increase of 247 students with IEPs who graduated with a standard high school diploma in 2007-08 (5,270 students with IEPs).

Of the 114 (of 115) traditional LEAs that had students with IEPs entering ninth grade for the first time in 2005-06, eight (8) had 4-year cohort graduation rates that met or exceeded the state target of 80%. 106 traditional LEAs that had students with IEPs entering ninth grade for the first time in 2005-06 did not meet the proposed state target of 80%. Five (5) of twenty-seven (27) public charter schools had enough students (5 or more) with IEPs entering ninth grade for the first time in 2005-06 to report a 4-year cohort graduation rate. Two (2) of the five (5) public charter schools had 4-year cohort graduation rates that met or exceeded the state target of 80%. Three (3) of the five (5) public charter schools had 4-year cohort graduation rates that were below the 80%.

Although North Carolina uses the 4-year cohort graduation rate as a target for AYP, a 5-year cohort graduation rate for students with IEPs is also calculated. The 5-year cohort graduation rate for students entering ninth grade for the first time in 2005-06 was 63.6% or 6.8 percentage points higher than the 4-year cohort graduation rate for the same group of entering ninth grade students. This 5-year cohort graduation rate was also 1.3 percentage points higher than the 5-year cohort graduation rate for students entering ninth grade for the first time in 2004-05 and graduating with a regular high school diploma in 2008-09. This 5-year cohort graduation rate is important because it includes an additional 712 students with IEPs, entering ninth grade for the first time in 2005-06, who graduated with a regular high school diploma.

Contributing factors to the progress made on this indicator include the implementation of and scaling up of: 1) research-based reading, math and writing instructional strategies in special and general education settings; 2) Positive Behavior Intervention and Support, Instructional Consultation Teams, and Responsiveness to Instruction Models; and 3) focused monitoring. An increase in math and

reading proficiency rates for students with disabilities and significant increases in graduation rates in some of the LEAs where focused monitoring and follow-up has occurred are evidence of the impact on the progress made.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2009-10:**

The annual graduation rate targets (80%) under Title 1 of the ESEA and 2010-11 improvement activities have been extended in the State Performance Plan for 2011-12 and 2012-13 to meet the requirements for extending the State Performance Plan for two years.

## Part B State Annual Performance Report (APR) for 2009-10

**Overview of the Annual Performance Report Development:** See description in Overview Section.

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| <b>Monitoring Priority: FAPE in the LRE</b> |
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**Indicator 2:** Percent of youth with IEPs dropping out of high school.

(20 U.S.C. 1416 (a)(3)(A))

**Measurement:** States must report using the dropout data used in the ESEA graduation rate calculation and follow the timeline established by the Department under the ESEA.

North Carolina uses the same calculation, which is an event rate calculation, for dropout rate for youths with IEPs as it does for all youth. The rate calculation is listed below the actual target data for 2008-09.

The definition for dropout is an individual who: 1) was enrolled in school at some time during the previous school year; and 2) was not enrolled at the beginning of the current school year; and 3) has not graduated from high school or completed a State- or district-approved educational program; and 4) does not meet any of the following exclusionary conditions: a) transfer to another public school district, private school, or State- or district-approved educational program (including correctional or health facility programs); b) temporary absence due to suspension or school-excused illness; or c) death, as reported in North Carolina's Consolidated State Performance Report (CSPR) Part I, December 17, 2010.

| FFY     | Measurable and Rigorous Target                                      |
|---------|---|
| 2008-09 | Reduce the dropout rate for youth with IEPs in grades 9-12 to 6.0%. |

**Actual Target Data for 2008-09:**

| Year               | # of youths with IEPs, in grades 9-12, that dropped out of school | # of youths with IEPs in grades 9-12 | Rate                            | Progress or slippage from 2007-08 |
|--------------------|---|--------------------------------------|---------------------------------|-----------------------------------|
| FFY 2008 (2008-09) | 3457  | 44929                                | 7.1%<br>(see calculation below) | - 0.9 percentage points           |

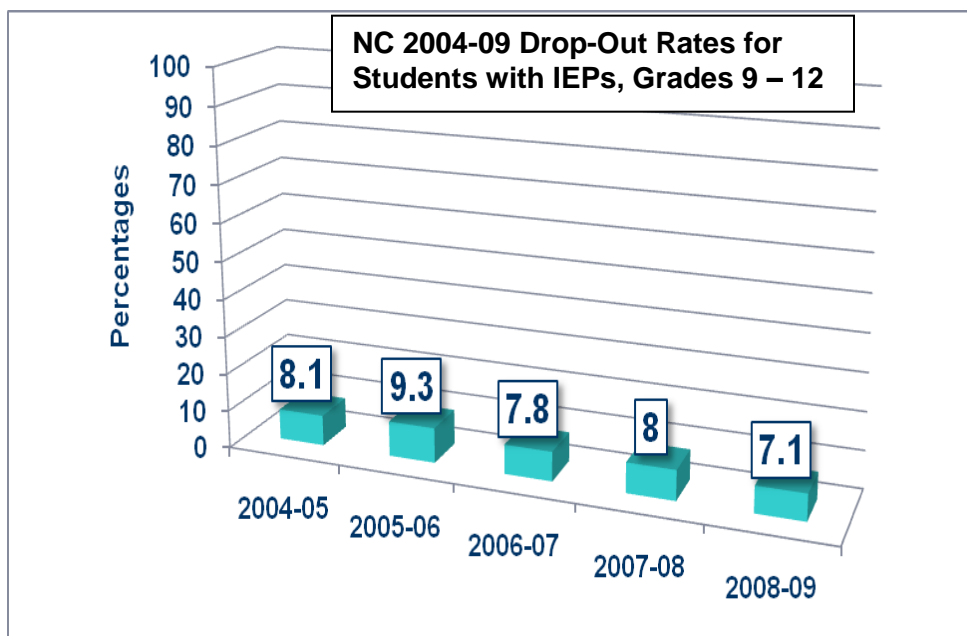
\*2008-09 Comprehensive Exceptional Children Accountability System Exit Report for Students with Disabilities

\*\*The State calculation for the denominator that is used for all youths that drop out was used in 2008-2009 for youths with IEPs that dropped out.

Rate =  $100 * \text{Numerator} \div (\text{Denominator 1} + \text{Numerator})$

Numerator: Number of Dropouts

Denominator 1:  $(08 \text{ Membership} - \text{FM20}/\text{initial enrollee count} + 09 \text{ Membership}) \div 2$



Source: NCDPI/Agency Operations and Management/Research and Evaluation; 2006-09 EC Exit Reports from CECAS.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:**

| Activities  | Timelines                       | Status   |
|---|---------------------------------|--|
| Annually review and analyze the LEAs' Continuous Improvement Performance Plans (CIPPs) and conduct regional meetings with LEAs: to discuss/review findings; further analyze reasons; and provide technical assistance regarding improvement strategies, including information about systems and practices that have decreased the number of youth with disabilities who drop out of school. | 2005-06 and annually thereafter | <b>Completed for 2008-09</b> - EC Division staff reviewed and analyzed each LEA's CIPP and 2008-09 data. From the review and analyses, an LEA profile was prepared for each LEA for use in the 8 regional follow-up meetings conducted during February and March 2009. |



|   |                                     |   |
|---|-------------------------------------|---|
| Following the review and analyses of the CIPPs, DPI will conduct regional meetings with LEAs to: discuss/review findings; further analyze reasons; and provide technical assistance regarding improvement strategies, including information about systems and practices that have decreased the number of youth with disabilities who drop out of school. | Spring 2007 and annually thereafter | <b>Completed for 2008-09</b> – Eight (8) of eight (8) regional follow-up meetings for LEAs were conducted during February and March 2009 to: discuss findings/LEA data profiles prepared by NCDPI; further analyze reasons for increases and decreases in dropout rates; and provide technical assistance regarding improvement strategies including information about systems and practices that have decreased the number of youth with disabilities who drop out of school.            |
| Develop technical assistance and training that specifically focuses on high schools and how to implement practices which will lead to decreasing the number of youth with disabilities who drop out of school.  | 2006-2010                           | <b>Partially completed</b> – EC Division staff have collected/analyzed data from various sources including: CIPPs, focused monitoring, a review of trainings that include data and information for high schools, etc. A report has been prepared for a legislative study about secondary education for students with disabilities. Continuing efforts will focus on updating or revising technical assistance and training to specifically focus on high schools and effective practices. |
| Focused Monitoring of Selected LEAs   | 2007-2010                           | <b>Completed for 2008-09</b> - Conducted Focused Monitoring in 4 traditional LEAs. Through on-site visits, that included record reviews, interviews and program observations, the monitoring included a thorough examination of issues regarding graduation, dropouts, IEP transition components and post school outcomes.  |
| Increase the promotion and implementation of research-based reading, math and writing instructional strategies in special and general education settings.   | 2010 – 2011                         | Research-based reading, math and writing instructional strategies were promoted and implemented through NC's 7 Reading/ Writing Instruction Demonstration Centers; 77 research-based reading/ writing instruction sites, including early literacy instruction; 4 regional Mathematics Instruction Demonstration   |

|  |             |   |
|--|-------------|---|
|  |             | Centers; and 30 research-based mathematics instruction sites, all located in LEAs.  |
| Increase the promotion and implementation of Positive Behavior Intervention and Support, Instructional Consultation Teams, and Responsiveness to Instruction Models. | 2010 – 2011 | Since 2001, more than 100 LEAs, including staff in more than 720 schools, have been trained and are in various stages of implementing Positive Behavior Intervention and Support; 8 traditional LEAs have been trained and are implementing Instructional Consultation Teams; and 101 LEAs have been trained and are in various stages of implementation of Responsiveness to Instruction Models. |

*Explanation of Progress:*

North Carolina did not meet its target of 6.0%. In 2008-09, the grades 9-12 dropout rate for students with disabilities decreased to 7.1%, which indicated progress of a 0.9 percentage point. The data for the numerator came from CECAS's 2008-09 Exit Report, which is a leaver rate calculation. Leaver rates tend to yield higher rates than event rates. In 2008-09, the actual number of youths with IEPs in grades 9-12 that dropped out decreased by 13.9% or 556 students; however the number of youths with IEPs, in grades 9-12 only decreased by 9.9% (4.0 percentage points less) or 4946 students. For this Indicator, North Carolina reports the grades 9-12 dropout rate for students with disabilities (7.1%) as compared to the grades 7-12 dropout rate of 3.3% for students with disabilities that is reported in its CSPR Part I, December 17, 2010.

Of the 115 traditional LEAs that had students with IEPs in grades 9-12 in 2008-09, fifty-one (51) or 44.3% had dropout rates that met or had lower rates than the State target of 6.0%. This was an increase of seventeen (17) traditional LEAs. Sixty-four (64) traditional LEAs, or 55.7%, did not meet the State target because of higher rates than 6.0%. Thirty-two (32) public charter schools had students with IEPs in grades 9-12, in 2008-09. Twenty-seven (27) of these public charter schools, or 84.4%, met or exceeded the State target (lower rate). Five (5) public charter schools, or 15.6%, did not meet the State target (higher rate). Contributing factors to the progress made on this indicator include the implementation of and scaling up of: 1) research-based reading, math and writing instructional strategies in special and general education settings; 2) Positive Behavior Intervention and Support, Instructional Consultation Teams, and Responsiveness to Instruction Models; and 3) focused monitoring. An increase in math and reading proficiency rates for students with disabilities and decreases in dropout rates in some of the LEAs where focused monitoring and follow-up have occurred are evidence of the impact on the progress made. The focused monitoring process, which includes a thorough examination of issues regarding graduation, dropouts, IEP transition components and post school outcomes, continues to be an important factor for making progress on this indicator. This is important for not only decreasing the State dropout rate, but also for increasing the number of traditional LEAs that meet or exceed the State target.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2009-10:**

The 2010-11 drop-out rate target, 4.7%, and 2010-11 improvement activities have been extended in the State Performance Plan for 2011-12 and 2012-13 to meet the requirements for extending the State Performance Plan for two years.

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**Part B State Annual Performance Report (APR) for 2009-10**

**Overview of the Annual Performance Report Development:** See description in Overview Section.

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|---|
| <b>Monitoring Priority: FAPE in the LRE</b> |
|---|

**Indicator 3:** Participation and performance of children with IEPs on statewide assessments:

- A. Percent of the districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup.
- B. Participation rate for children with IEPs.
- C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

|                     |
|---------------------|
| <b>Measurement:</b> |
|---------------------|

- |  |
|--|
| <p>A. AYP percent = [(# of districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup) divided by the (total # of districts that have a disability subgroup that meets the State's minimum "n" size)] times 100.</p> <p>B. Participation rate percent = [(# of children with IEPs participating in the assessment) divided by the (total # of children with IEPs enrolled during the testing window, calculated separately for reading and math)]. The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.</p> <p>C. Proficiency rate percent = [(# of children with IEPs enrolled for a full academic year scoring at or above proficient) divided by the (total # of children with IEPs enrolled for a full academic year, calculated separately for reading and math)].</p> |
|--|

| FFY     | Measurable and Rigorous Target                |              |                |
|---------|---|--------------|----------------|
| 2009-10 | A. Percentage of Districts Meeting AYP: 55.0% |              |                |
|         | B. Overall Participation Rate:                | <b>Grade</b> | <b>Reading</b> |
|         |   | <b>Math</b>  |                |
|         |   | 3            | 95.0           |
|         |   | 4            | 95.0           |
|         |   | 5            | 95.0           |
|         |   | 6            | 95.0           |
|         |   | 7            | 95.0           |
|         |   | 8            | 95.0           |
|         | C. Overall Proficiency Rate:                  | 10           | 95.0           |
|         |   | <b>Grade</b> | <b>Reading</b> |
|         |   | <b>Math</b>  |                |
|         |   | 3            | 43.2           |
|         |   | 4            | 77.2           |
|         |   | 5            | 77.2           |
|         |   | 6            | 77.2           |
|         |   | 7            | 77.2           |
|         |   | 8            | 77.2           |
|         |   | 10           | 38.5           |
|         |   | 68.4         |                |

**Actual Target Data for 2009-10:****A. Percentage of Districts Meeting AYP:**

| # of LEAs that had a students with disabilities subgroup* for AYP determination | # of LEAs that met AYP targets for students with disabilities subgroup* | Rate  | Difference from 2008-09 |
|---|---|-------|-------------------------|
| 127   | 32  | 25.2% | <b>- 35.7</b>           |

\*AYP subgroup ≥ 40 students – 113 traditional LEAs and 14 public charter schools

**B. Participation Rates:****2009-10 Math Assessment - Participation**

| Gr | IEPs in regular assessments/no accommodations | IEPs in regular assessments w/ accommodations | IEPs in alternate assessments against grade level standards | IEPs in alternate assessments against modified academic achievement standards | IEPs in alternate assessments against alternate achievement standards | Total Children w/IEPs<br>Denominator | Total # Assessed<br>Numerator | Rate (%)    | Difference from 2008-09 |
|----|---|---|---|---|---|--------------------------------------|-------------------------------|-------------|-------------------------|
| 3  | 4326  | 6683  | 0   | 2559  | 991   | 14594                                | 14559                         | <b>99.8</b> | +/- 0                   |
| 4  | 3287  | 7611  | 0   | 3223  | 936   | 15103                                | 15057                         | <b>99.7</b> | - 0.1                   |
| 5  | 2586  | 7977  | 0   | 3442  | 965   | 14999                                | 14970                         | <b>99.8</b> | + 0.1                   |
| 6  | 2126  | 7384  | 0   | 3514  | 905   | 14004                                | 13929                         | <b>99.5</b> | +/- 0                   |
| 7  | 1897  | 7342  | 0   | 3350  | 797   | 13472                                | 13386                         | <b>99.4</b> | + 0.2                   |
| 8  | 1905  | 6883  | 0   | 2963  | 917   | 12764                                | 12668                         | <b>99.2</b> | + 0.2                   |
| 10 | 2155  | 4393  | 22  | 0*  | 688   | 10316                                | 7258                          | <b>75.6</b> | - 5.2                   |

\* Students taking the Occupational Course of Study (OCS) Extend 2 (alternate assessment) are included in the denominator and counted as 0/ non-participants because the U.S. Department of Education (USED) disallowed the use of North Carolina's OCS assessments for AYP because the link between the general curriculum and the OCS curriculum was judged to be insufficient during the Peer Review process.

Source: 2009-10 NC Consolidated State Performance Report (CSPR) under Title 1 of the ESEA.

## 2008-09 Reading Assessment - Participation

| Gr | IEPs in regular assessments/ no accommodations | IEPs in regular assessments w/ accommodations | IEPs in alternate assessments against grade level standards | IEPs in alternate assessments against modified academic achievement standards | IEPs in alternate assessments against alternate achievement standards | Children w/IEPs Denominator | Total # Assessed Numerator | Rate (%) | Difference from 2006-07 |
|----|--|---|---|---|---|-----------------------------|----------------------------|----------|-------------------------|
| 3  | 4570   | 5978  | 0   | 3022  | 925   | 14594                       | 14561                      | 99.8     | +/- 0                   |
| 4  | 3564   | 6686  | 0   | 3874  | 907   | 15103                       | 15060                      | 99.7     | - 0.2                   |
| 5  | 2850   | 7058  | 0   | 4098  | 963   | 14999                       | 14970                      | 99.8     | + 0.1                   |
| 6  | 2252   | 6788  | 0   | 3990  | 780   | 14004                       | 13935                      | 99.5     | - 0.1                   |
| 7  | 2135   | 6845  | 0   | 3615  | 768   | 13472                       | 13391                      | 99.4     | + 0.1                   |
| 8  | 2113   | 6487  | 0   | 3156  | 874   | 12764                       | 12673                      | 99.3     | + 0.3                   |
| 10 | 1207   | 5744  | 39  | 0*  | 676   | 10316                       | 7665                       | 77.0     | - 2.7                   |

\* Students taking the Occupational Course of Study (OCS) Extend 2 (alternate assessment) are included in the denominator and counted as 0/ non-participants for a second consecutive year because the U.S. Department of Education (USED) disallowed the use of North Carolina's OCS assessments for AYP because the link between the general curriculum and the OCS curriculum was judged to be insufficient during the Peer Review process.

Source: 2009-10 NC Consolidated State Performance Report (CSPR) under Title 1 of the ESEA.

## C. Proficiency Rates:

## 2009-10 Math Assessment - Proficiency

| Gr | IEPs in regular assessments/no accommodations against grade level standards | IEPs in regular assessments w/ accommodations against grade level standards | IEPs in alternate assessments against grade level standards | IEPs in alternate assessments against modified academic achievement standards | IEPs in alternate assessments against alternate achievement standards | Children w/IEPs Assessed - Denominator | Total # Proficient Numerator | Rate (%) | Difference from 2008-09 |
|----|---|---|---|---|---|--|------------------------------|----------|-------------------------|
| 3  | 3349  | 3690  | 0   | 909   | 704   | 14559                                  | 8652                         | 59.4     | + 0.1                   |
| 4  | 2727  | 4996  | 0   | 1308  | 636   | 15057                                  | 9667                         | 64.2     | + 7.1                   |
| 5  | 1985  | 4646  | 0   | 1520  | 714   | 14970                                  | 8865                         | 59.2     | + 4.4                   |
| 6  | 1362  | 3767  | 0   | 1949  | 695   | 13929                                  | 7773                         | 55.8     | + 3.1                   |
| 7  | 1208  | 3630  | 0   | 1793  | 579   | 13386                                  | 7210                         | 53.9     | + 2.6                   |
| 8  | 1256  | 3850  | 0   | 1766  | 564   | 12668                                  | 7436                         | 58.7     | + 5.4                   |
| 10 | 1162  | 1988  | 21  | 0*  | 458   | 7258                                   | 3629                         | 50.0     | + 7.4                   |

\* Students taking the Occupational Course of Study (OCS) Extend 2 (alternate assessment) are included in the denominator and counted as 0/ non-participants because the U.S. Department of Education (USED) disallowed the use of North Carolina's OCS assessments for AYP because the link between the general curriculum and the OCS curriculum was judged to be insufficient during the Peer Review process.

Source: 2009-10 NC Consolidated State Performance Report (CSPR) under Title 1 of the ESEA.

| 2009-10 Reading Assessment - Proficiency |   |   |   |   |   |  |                              |          |                         |
|--|---|---|---|---|---|--|------------------------------|----------|-------------------------|
| Gr                                       | IEPs in regular assessments/no accommodations against grade level standards | IEPs in regular assessments w/ accommodations against grade level standards | IEPs in alternate assessments against grade level standards | IEPs in alternate assessments against modified academic achievement standards | IEPs in alternate assessments against alternate achievement standards | Children w/IEPs Assessed - Denominator | Total # Proficient Numerator | Rate (%) | Difference from 2007-08 |
| 3  | 2648  | 1713  | 0   | 672   | 689   | 14561                                  | 5722                         | 39.3     | + 0.5                   |
| 4  | 2558  | 3220  | 0   | 1065  | 644   | 15060                                  | 7487                         | 49.7     | + 10.1                  |
| 5  | 1900  | 3096  | 0   | 1547  | 640   | 14970                                  | 7183                         | 48.0     | + 8.9                   |
| 6  | 1302  | 2699  | 0   | 1523  | 642   | 13935                                  | 6166                         | 44.2     | + 5.4                   |
| 7  | 983   | 2184  | 0   | 1415  | 568   | 13391                                  | 5150                         | 38.5     | + 3.4                   |
| 8  | 1010  | 2252  | 0   | 1215  | 600   | 12673                                  | 5077                         | 40.1     | + 4.7                   |
| 10                                       | 439   | 1138  | 10  | 0*  | 338   | 7665                                   | 1925                         | 25.1     | - 0.4                   |

\* Students taking the Occupational Course of Study (OCS) Extend 2 (alternate assessment) are included in the denominator and counted as 0/ non-participants because the U.S. Department of Education (USED) disallowed the use of North Carolina's OCS assessments for AYP because the link between the general curriculum and the OCS curriculum was judged to be insufficient during the Peer Review process.

Source: 2009-10 NC Consolidated State Performance Report (CSPR) under Title 1 of the ESEA.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2009-10:**

| Improvement Activity  | Timeline    | Status   |
|---|-------------|--|
| Disseminate information to LEAs about which systems and practices increase academic achievement of students with disabilities.                            | 2007-2010   | <b>Completed for 2009-10</b> – Eight (8) of eight (8) regional follow-up meetings for LEAs were conducted during February and March 2010 to: discuss findings/LEA data profiles prepared by NCDPI; and provide technical assistance regarding improvement strategies including information about systems and practices that increase academic achievement of students with disabilities. |
| Implement/monitor procedures through NCDPI Accountability Services to further reduce mis-administrations  | 2006-2010   | <b>Completed for 2009-10</b>   |
| Increase the promotion and implementation of research-based reading, math and writing instructional strategies in special and general education settings. | 2010 – 2011 | Research-based reading, math and writing instructional strategies were promoted and implemented through NC's 7 Reading/ Writing Instruction Demonstration Centers; 77 research-based reading/ writing instruction sites, including early literacy instruction; 4 regional Mathematics  |



|  |             |   |
|--|-------------|---|
|  |             | Instruction Demonstration Centers; and 30 research-based mathematics instruction sites, all located in LEAs.  |
| Increase the promotion and implementation of Positive Behavior Intervention and Support, Instructional Consultation Teams, and Responsiveness to Instruction Models. | 2010 – 2011 | Since 2001, more than 100 LEAs, including staff in more than 720 schools, have been trained and are in various stages of implementing Positive Behavior Intervention and Support; 8 traditional LEAs have been trained and are implementing Instructional Consultation Teams; and 101 LEAs have been trained and are in various stages of implementation of Responsiveness to Instruction Models. |

Explanation of Progress or Slippage:

- A. **Percentage of LEAs meeting AYP:** North Carolina did not meet its 55% target for AYP. The number of LEAs that met AYP rate decreased to 25.2% in 2009-10. This is a decrease from 63.6% of the LEAs in 2008-09 or a decrease of 38.4 percentage points. The slippage is related to changes to AYP determinations in 2008-09. Those changes included: 1) first retest scores were incorporated into the calculation of AYP; and 2) when an existing students with disabilities subgroup misses its AYP target, scores for students with disabilities, who exited special education within the previous two years are included in the AYP calculations. As a result of these changes, most LEAs that met the math proficiency targets in 2008-09, did so by the safe harbor provision.\* Although statewide progress was made in math proficiency for students with disabilities, the majority of LEAs that met the math proficiency target with the safe harbor provision in 2008-09 were unable to do so in 2009-10.

\*Safe Harbor Provision - When an LEA does not meet a proficiency target, the LEA can meet the target with the safe harbor provision, if the LEA meets the 95% participation rate and the student group must show a 10% reduction in the percentage of students not proficient from the preceding year for the subject area and show progress in its attendance/graduation rate.

- B. **Participation Rates:** North Carolina exceeded its targets (95%) for participation rates for state reading and math assessments at each grade level 3 – 8 by maintaining and/or slightly increasing or decreasing participation rates that exceeded 99%. North Carolina did not meet its targets (95%) for participation rates for reading and math assessments for grade 10. Decreases in participation rates for reading and math assessments for grade 10 were due, in part, to the State reducing the number of courses of study from four (4) to two (2). As a result, additional students enrolled in the Occupational Course of Study (OCS), took the Extend 2 alternate assessment and counted as non-participants. Students who took the Extend 2 in 2009-10 were counted as non-participants. This decision was made after the U.S. Department of Education (USED) disallowed the use of North Carolina's OCS assessments for AYP because the link between the general curriculum and the OCS curriculum was judged to be insufficient during the Peer Review process. Student absence was the other reason most often cited for non-participants for reading and math assessments at grade 10. To resolve this issue, beginning with the 2010-11 school year, students enrolled in the OCS at grade 10 will participate in the regular assessments, with or without accommodations.

Most students with disabilities were assessed on regular assessments with and without accommodations. At every grade level for math and reading, more students were assessed on regular assessments with accommodations than without accommodations. Of the students with disabilities assessed on alternate assessments, the majority of them took an alternate assessment against modified academic achievement standards.

- C. **Proficiency Rates:** North Carolina met its targets for proficiency for reading grades 4- 6. The State did not meet its targets for math proficiency at all grade levels (3-8 & 10) and for reading proficiency at grade levels 3, 7, 8 and 10. Although many of the proficiency targets weren't met, North Carolina did make progress in both math and reading proficiency at each grade level 3-8 and math proficiency at grade 10. Reading proficiency at grade 10 was the only area that experienced a small amount of slippage. Increases in math proficiency ranged from 0.1 percentage points at grade 3 to 7.4 percentage points at grade 10. Increases in reading proficiency ranged from 0.5 percentage points at grade 3 to 10.1 percentage points at grade 4. Progress is attributed to North Carolina's continued promotion and implementation of state initiatives in research-based reading, math and writing instructional strategies in special and general education settings and Positive Behavior Intervention and Support, Instructional Consultation Teams, and Responsiveness to Instruction Models.

**Public Reporting Information:**

<http://www.ncpublicschools.org/accountability/reporting/leaperformancearchive/>

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2009-10:**

The 2010-11 target of 65% for AYP, and participation target of 95%, math proficiency target of 88.6%, and reading proficiency target of 71.6%, as established under the ESEA for all students have been extended in the State Performance Plan for 2011-12 and 2012-13. Additionally, the 2010-11 improvement activities have been extended in the State Performance Plan for 2011-12 and 2012-13. These extensions meet the requirements for extending the State Performance Plan for two years.

**Part B State Annual Performance Report (APR) for 2009-10**

**Overview of the Annual Performance Report Development:** See description in Overview Section.

|   |
|---|
| <b>Monitoring Priority: FAPE in the LRE</b> |
|---|

**Indicator 4:** Rates of suspension and expulsion:

- A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and
- B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

**Measurement:**

- A. Percent = [(# of districts that have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year of children with IEPs) divided by the (# of districts in the State)] times 100.
- B. Percent = [(# of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards) divided by the (# of districts in the State)] times 100.

Significant discrepancy is defined as  $\geq$  twice the State average rate\* of suspensions and expulsions of children with disabilities for greater than 10 days in a school year.

\*Rates are computed for LEAs with a minimum "n" size of 10 students with disabilities suspended/expelled and/or  $\leq 1\%$  of an LEA's EC population. Data are reviewed separately for LEAs with less than the minimum "n"/enrollment size to determine if a significant discrepancy exists.

| FFY     | Measurable and Rigorous Target  |
|---------|---|
| 2008-09 | 7% of LEAs with a rate of suspensions and expulsions of children with disabilities greater than 10 days in a school year that is twice the state average rate or greater. |

**Actual Target Data for 2008-09:****A.**

| # of Districts identified by the State as having significant discrepancies in the rates of greater than 10 day suspensions and expulsions of children with disabilities in a school year | # of Districts in the State | Rate  | % of Progress or Slippage from 2007-08 |
|--|-----------------------------|-------|--|
| 10   | 215*                        | 4.7 % | + 1.4 percentage points                |

\*All LEAs, including traditional school districts, public charter schools, and State-Operated Programs, were included in the calculations.

Data source: 2008-09 Section 618 State Reported Data

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:**

| Activities  | Timelines                         | Status   |
|---|-----------------------------------|--|
| Analyze LEA long-and short-term suspension data in end-of-year reports and Continuous Improvement Performance Plans (CIPPs) to identify LEAs that need targeted technical assistance and those that are achieving good results. | 2006 – 07 and annually thereafter | <b>Completed</b> for 2008-09 data.   |
| Disseminate information to LEAs about which systems and practices decrease the number of youth with disabilities who are suspended and expelled.  | 2007, 2008, 2009, 2010            | <b>Completed</b> for 2008-09 data - Information was disseminated during eight (8) of eight (8) regional follow-up meetings for LEAs conducted during February and March 2009. Additional dissemination occurred during technical assistance and training sessions/institutes, regarding positive behavior intervention and support and discipline, conducted throughout the year by the EC Division's Dispute Resolution and Positive Behavior Intervention and Support Consultants. |

|   |                           |   |
|---|---------------------------|---|
| Develop/provide targeted technical assistance and training that specifically focuses on systems that need to decrease the number of youth with disabilities who are suspended and expelled. | 2007, 2008,<br>2009, 2010 | <b>Continuing</b> - NCDPI uses eight (8) Regional Roundtables to provide LEAs with focused technical assistance and training. Districts in the greatest need were identified based on integrated data analyses that included disciplinary data. The work of the EC Division regional teams (focused on students with disabilities in individual districts) has been incorporated into the larger scope of the Regional Roundtables (focused on all students in individual districts). EC regional staff consultants are members of their respective Regional Roundtables. |
| Increase the promotion and implementation of research-based reading, math and writing instructional strategies in special and general education settings.                                   | 2010 – 2011               | Research-based reading, math and writing instructional strategies were promoted and implemented through NC's 7 Reading/ Writing Instruction Demonstration Centers; 77 research-based reading/ writing instruction sites, including early literacy instruction; 4 regional Mathematics Instruction Demonstration Centers; and 30 research-based mathematics instruction sites, all located in LEAs.  |
| Increase the promotion and implementation of Positive Behavior Intervention and Support, Instructional Consultation Teams, and Responsiveness to Instruction Models.                        | 2010 – 2011               | Since 2001, more than 100 LEAs, including staff in more than 720 schools, have been trained and are in various stages of implementing Positive Behavior Intervention and Support; 8 traditional LEAs have been trained and are implementing Instructional Consultation Teams; and staff in 101 LEAs have been trained and are in various stages of implementation of Responsiveness to Instruction Models.  |

*Explanation of Progress/Slippage:*

North Carolina's rate of 4.7% of the LEAs exceeded the target rate for having  $\leq 6.0\%$  of the LEAs with a significant discrepancy in the rate of suspensions and expulsions of children with disabilities greater than 10 days in a school year. While North Carolina exceeded this target, slippage was shown on this Indicator, since the 2008-09 rate of 4.7% was 1.4 percentage points higher than the 2007-08 rate of 3.3%. Many LEAs have implemented effective practices resulting in reduced numbers of suspensions and expulsions greater than 10 days for students with disabilities. However, because the state average rate for determining a significant discrepancy can change each year, it continues to be more challenging for some districts, particularly smaller ones, to remain below twice the state average rate. The state average rate of suspensions and expulsions of children with disabilities greater than 10 days in a school year for 2008-09 was 2.15%.

Ten (10) of 215 LEAs were identified as having significant discrepancies in the rate of suspensions and expulsions of children with disabilities greater than 10 days in a school year in 2008-09. The ten (10) LEAs were required to submit copies of any documents pertaining to the suspension and discipline of students with disabilities in the school district, with a particular emphasis on those policies, procedures and practices which involved development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. Upon review by the EC Division of the LEAs' written policies, procedures and practices, none of the LEAs were required to make revisions to the submitted documents to ensure compliance with IDEA requirements and notify the public of those revisions.

|   |   |
|---|---|
| 1. Number of findings of noncompliance the State made during FFY 2008 (the period from July 1, 2008 through June 30, 2009) using 2007-2008 data           | 2 |
| 2. Number of FFY 2008 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding) | 2 |
| 3. Number of FFY 2008 findings <u>not</u> verified as corrected within one year [(1) minus (2)]   | 0 |

**Correction of FFY 2008 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):**

|   |   |
|---|---|
| 4. Number of FFY 2008 findings not timely corrected (same as the number from (3) above)                                   | 0 |
| 5. Number of FFY 2008 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction") | 0 |
| 6. Number of FFY 2008 findings <u>not</u> yet verified as corrected [(4) minus (5)]                                       | 0 |

**Actions Taken if Noncompliance Not Corrected:**

*For FFY 2008 findings for which the State has not yet verified correction, explain what the State has done to identify the root cause(s) of continuing noncompliance, and what the State is doing about the continued lack of compliance, including, as appropriate, enforcement actions taken against an LEA that continues to show noncompliance.*

N/A

**Verification of Correction (either timely or subsequent):**

*For those findings for which the State has reported correction, describe the process the State used to verify that the LEA is correctly implementing the specific regulatory requirement(s).*

- 1) Following on-site verification visits, each of the two (2) LEAs that were cited for non-compliant findings during 2008-09 for FFY 2007 data implemented corrective actions during 2009-10 to comply with the IDEA requirements. The LEAs submitted documentation, for review and approval by NCDPI, of the implementation of corrective actions and the timely correction of specific findings.
- 2) Through the annual submission of FFY 2008 disciplinary data in 2009-10 for both of the LEAs and an on-site review/verification of data and information for one of the LEAs, the NCDPI verified that the data and information for the two LEAs are evidence that the LEAs were correctly implementing the specific regulatory requirements within a year of notification of the findings.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2009-10:**

The 2010-11 target rate, 5.0%, for the number of districts identified by the State as having significant discrepancies in the rates of greater than 10 day suspensions and expulsions of children with disabilities in a school year and 2010-11 improvement activities have been extended in the State Performance Plan for 2011-12 and 2012-13. These extensions meet the requirements for extending the State Performance Plan for two years.

## Part B State Annual Performance Report (APR) for 2009-10

**Overview of the Annual Performance Report Development:** See description in Overview Section.

**Monitoring Priority: FAPE in the LRE**

**Indicator 5:** Percent of children with IEPs aged 6 through 21 served:

- A. Inside the regular class 80% or more of the day;
- B. Inside the regular class less than 40% of the day; and
- C. In separate schools, residential facilities, or homebound/hospital placements.

(20 U.S.C. 1416(a)(3)(A))

**Measurement:**

- A. Percent = [(# of children with IEPs served inside the regular class 80% or more of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- B. Percent = [(# of children with IEPs served inside the regular class less than 40% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- C. Percent = [(# of children with IEPs served in separate schools, residential facilities, or homebound/hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

| FFY            | Measurable and Rigorous Target                                      |
|----------------|---|
| <b>2009-10</b> | Measurement A: 64.6%<br>Measurement B: 15.7%<br>Measurement C: 2.0% |

**Actual Target Data for 2009-10:**

|  | # of Students in Setting (Numerator) | # of Students, 6 – 21, with IEPs (Denominator) | Rate  | % Change from 2008-09/ Met Target |
|--|--------------------------------------|--|-------|-----------------------------------|
| A. Inside the regular class 80% or more of the day | 105,203                              | 166,755  | 63.1% | - 1.0/ No                         |



|  |        |         |       |              |
|--|--------|---------|-------|--------------|
| B. Inside the regular class less than 40% of the day                             | 26,358 | 166,755 | 15.6% | +/- 0.0/ Yes |
| C. In separate schools, residential facilities, or homebound/hospital placements | 3,824  | 166,755 | 2.3%  | + 0.1/ No    |

Source: Data used for this indicator are from the December 1 Periodic Child Count submitted as part of the 618 State-reported data requirement.

**Discussion of Improvement Activities Completed that occurred for 2009-10:**

| Improvement Activity   | Timeline            | Status  |
|--|---------------------|---|
| Analyze End-of-Year Report and Continuous Improvement Monitoring System (CIMS) self-assessment data, disaggregated by LEA, grade level and area of disability, for populations in each setting on the LRE continuum. | 2005-2010, annually | Following the review and analyses of CIPPs, DPI staff conducted six (6) of six (6) regional follow-up meetings for traditional LEAs and SOPs during February 2009 and one follow-up meeting for public charter schools in March 2009 to: discuss findings/LEA data profiles prepared by NCDPI; further analyze reasons for LRE data; and provide technical assistance regarding improvement strategies. |
| Provide statewide training and technical assistance in the implementation of the LRE determination process.  | 2006-2010           | Throughout 2008-09 NCDPI staff conducted training in each of the State's 8 regions and at state conferences regarding the LRE determination process and documenting LRE decisions in IEPs.  |
| Provide parent training on LRE.  | 2006-2010           | In addition to 3 specific trainings for parents conducted by NCDPI dispute resolution/parents' rights consultants during 2008-09, parents participated in trainings throughout the year conducted in the State's 8 regions and at state conferences regarding the LRE determination process and documenting LRE decisions in IEPs.  |

|  |                       |   |
|--|-----------------------|---|
| <p>Increase the quality of supplemental aides and services by:</p> <p>A. Examine and reduce barriers that prevent a fluid continuum of instructional services through regular and special education (i.e., universal design).</p> <p>B. Increase promotion and implementation of research-based reading, math and writing instructional strategies in special and general education settings.</p> <p>C. Increase promotion and implementation of Positive Behavior Intervention &amp; Support, Instructional Consultation Teams, and Responsiveness to Instruction Models.</p> | 2005-2010             | <p>Research-based reading, math and writing instructional strategies were promoted and implemented through NC's 7 Reading/ Writing Demonstration Centers; 77 reading/ writing sites; 4 Math Demonstration Centers; and 29 math sites, all located in LEAs.</p> <p>Since 2001, 99 LEAs* have been trained and are in various stages of Positive Behavior Intervention and Support; 8 traditional LEAs have been trained and are implementing Instructional Consultation Teams; and 101 LEAs* have been trained and are in various stages of implementation of Responsiveness to Instruction Models.</p> <p>*LEAs include traditional school districts, public charter schools and State-Operated Programs.</p> |
| <p>Provide targeted technical assistance, regarding LRE decision-making, to identified LEAs that have continued to fail to make progress towards the State targets.</p>  | 2007 - 2011, annually | <p>NCDPI staff conducted training about effective educational programming for students with mental disabilities, multiple disabilities and autism. Staff consultants have provided individual on-site technical assistance to identified LEAs regarding educational programming for students with these disabilities.</p>   |

**Explanation of Progress or Slippage that occurred for 2009-10:**

- A. North Carolina did not meet its target of 64.6% for 2009-10 and had slippage by a 1.0 percentage point, although the placement rate remains high at 63.1% and is higher than the national average rate. The number of students with IEPs, ages 6-21, inside the regular class 80% or more of the day decreased from the previous year by 3129 students, a 2.9% decrease. 146 of 214 LEAs (68.2%) exceeded the target of 64.6%. Sixty-eight (68) LEAs (31.8%) did not meet the target.
- B. North Carolina met its target of 15.7% for 2009-10 and maintained its already low placement rate of 15.6%. The number of students with IEPs, ages 6-21, inside the regular class less than 40% of the day decreased from the previous year by 357 students, a 1.4% decrease. 163 of 214 LEAs (76.2%) exceeded (were less than) the target of 15.7%. Fifty-one (51) LEAs (23.8%) did not meet the target. When the LRE data were disaggregated by disability, the data indicate that approximately 50% of students identified in each of the disability categories of mental disabilities, multiple disabilities and autism continued to be placed inside the regular class less than 40% of the day more often than students identified in other categories. In previous years, 50% of more of students with autism were placed inside the regular class less than 40% of the day. In 2009-10 only 40% of students with autism were placed inside the regular class less than 40% of the day. This is due in part to the training and technical assistance conducted by NCDPI staff about

effective educational programming for students with mental disabilities, multiple disabilities and autism.

- C. North Carolina did not meet its target of 2.0% for 2009-10, and the State had slippage by slightly increasing (0.1 percentage point) the placement rate from 2008-09. North Carolina's rate of 2.3% remained below the national average. The number of children with IEPs in separate environments, ages 6-21, increased from the previous year by 88 students (an increase of 73 students in homebound/hospital placements; an increase of 65 students in separate school placements; and a decrease of 50 students in residential placements). 188 of 214 LEAs (87.9%) exceeded (less than) the target of 2.0%. Twenty-six (26) LEAs (12.1%) did not meet the target.

The slight slippage on Indicators 5a and 5c, and maintenance on Indicator 5b in 2009-10 demonstrates stability in the system and is attributed to North Carolina's continued promotion and implementation of state initiatives in research-based reading, math and writing instructional strategies in special and general education settings and Positive Behavior Interventions and Supports, Instructional Consultation Teams, and Responsiveness to Instruction Models. The effectiveness of these initiatives has resulted in a decline in the overall enrollment of students with disabilities and particularly those placed inside the regular class 80% or more of the day.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2009-10:**

The 2010-11 targets (5a – 65.6%, 5b – 15.3%, 5c – 2.0%) and 2010-11 improvement activities have been extended in the State Performance Plan for 2011-12 and 2012-13. These extensions meet the requirements for extending the State Performance Plan for two years.

## Part B State Annual Performance Report (APR) for 2009-10

**Overview of the Annual Performance Report Development:** See description in Overview Section.

|   |
|---|
| <b>Monitoring Priority: FAPE in the LRE</b> |
|---|

**Indicator 6:** Percent of children aged 3 through 5 with IEPs attending a:

- A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and
- B. Separate special education class, separate school or residential facility.

(20 U.S.C. 1416(a)(3)(A))

|                     |
|---------------------|
| <b>Measurement:</b> |
|---------------------|

- |   |
|---|
| <p>A. Percent = [(# of children aged 3 through 5 with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.</p> <p>B. Percent = [(# of children aged 3 through 5 with IEPs attending a separate special education class, separate school or residential facility) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.</p> |
|---|

| FFY     | Measurable and Rigorous Target                       |
|---------|--|
| 2009-10 | N/A – First APR reporting in FFY 2011 APR due 2/1/13 |

**Actual Target Data for 2009-10:** N/A – First APR reporting in FFY 2011 APR due 2/1/13

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2009-10:** N/A – First APR reporting in FFY 2011 APR due 2/1/13

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2009-10:** N/A

## Part B State Annual Performance Report (APR) for 2009-10

**Overview of the Annual Performance Report Development:** See description in Overview Section.

**Monitoring Priority: FAPE in the LRE**

**Indicator 7:** Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

(20 U.S.C. 1416 (a)(3)(A))

**Measurement:**

Outcomes:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

Progress categories for A, B and C:

- a. Percent of preschool children who did not improve functioning =  $\left[ \frac{\text{(\# of preschool children who did not improve functioning)}}{\text{(\# of preschool children with IEPs assessed)}} \right]$  times 100.
- b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers =  $\left[ \frac{\text{(\# of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers)}}{\text{(\# of preschool children with IEPs assessed)}} \right]$  times 100.
- c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it =  $\left[ \frac{\text{(\# of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it)}}{\text{(\# of preschool children with IEPs assessed)}} \right]$  times 100.
- d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers =  $\left[ \frac{\text{(\# of preschool children who improved functioning to reach a level comparable to same-aged peers)}}{\text{(\# of preschool children with IEPs assessed)}} \right]$  times 100.
- e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers =  $\left[ \frac{\text{(\# of preschool children who maintained functioning at a level comparable to same-aged peers)}}{\text{(\# of preschool children with IEPs assessed)}} \right]$  times 100.

**Summary Statements for Each of the Three Outcomes (use for FFY 2009-2010 reporting):**

**Summary Statement 1:** Of those preschool children who entered the preschool program below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.

**Measurement for Summary Statement 1:**

Percent = # of preschool children reported in progress category (c) plus # of preschool children reported in category (d) divided by [# of preschool children reported in progress category (a) plus # of preschool children reported in progress category (b) plus # of preschool children reported in progress category (c) plus # of preschool children reported in progress category (d)] times 100.

**Summary Statement 2:** The percent of preschool children who were functioning within age expectations in each Outcome by the time they turned 6 years of age or exited the program.

**Measurement for Summary Statement 2:** Percent = # of preschool children reported in progress category (d) plus [# of preschool children reported in progress category (e) divided by the total # of preschool children reported in progress categories (a) + (b) + (c) + (d) + (e)] times 100.

| FFY     | Measurable and Rigorous Target   |
|---------|--|
| 2009-10 | The 2009-10 data is reported in the State Performance Plan (SPP) as new baseline data. |

**Actual Target Data for 2009-10:**

The 2009-10 data is reported in the SPP as new baseline data.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2009-10:**

The 2009-10 data is reported in the SPP as new baseline data and improvement activities completed and progress or slippage will be discussed in the FFY 2010 APR due 2/1/12.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2009-10:**

Due to the improved quality of the 2009-10 data, the SPP has been revised to:

- 1) Reset the baseline data and revise the targets and improvement activities, using the 2009-10 data; and
- 2) Establish targets and improvement activities for 2011-12 and 2012-13.

## Part B State Annual Performance Report (APR) for 2009-2010

Overview of the Annual Performance Report Development: See description in Overview Section.

Monitoring Priority: FAPE in the LRE

Indicator 8: Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities. (20 U.S.C. 1416(a)(3)(A))

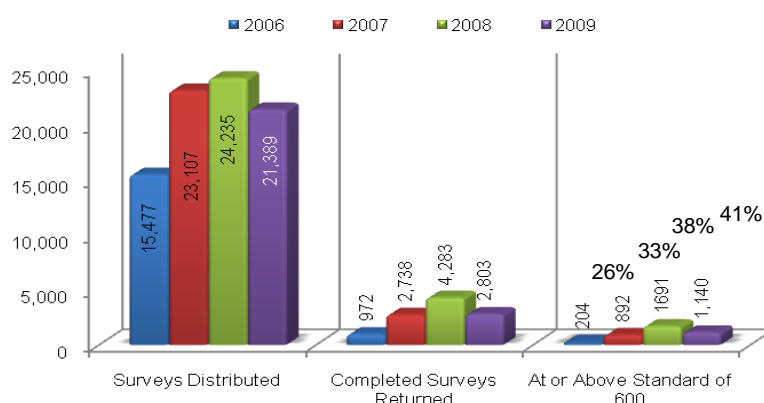
Measurement: Percent = [(# of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities) divided by the (total # of respondent parents of children with disabilities)] times 100.

| FFY 2009 | Measurable and Rigorous Target  |
|----------|---|
| 2009-10  | Forty-five percent (45%) of respondents, with a measure at or above the adopted standard of 600, will report that schools facilitated parent involvement as a means of improving services and results for children with disabilities. |

## Actual Target Data for FFY 2009:

| FFY 2009 | Number of Surveys Distributed | Number and Percent Completed |     | Number and Percent Greater than or Equal to 600 |     | Progress or Slippage |
|----------|-------------------------------|------------------------------|-----|---|-----|----------------------|
| 2009-10  | 21,389                        | 2,803                        | 13% | 1,140   | 41% | + 3                  |

Chart 1

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2009:

The State Educational Agency (SEA) sent 21,389 parent surveys with English on the front and Spanish on the back to parents of children with disabilities in fifty-eight (58) traditional local educational agencies (LEAs) and charter schools across the state. The SEA sent 4,354 preschool surveys and 17,035 K-12 surveys. The percentage of parents who reported *schools facilitated parent involvement as a means of improving services and results for children with disabilities*, calculated as the percentage of respondents

with a SEPPS measure that met or exceeded the standard of 600, was forty-one percent (**41%**). The percentage of preschool parents with a measure greater than or equal to 600 was fifty-one percent (51%). The percentage of KI-12 parents with a measure greater than or equal to 600 was thirty-eight percent (38%). (A detailed explanation regarding setting the standard at 600 is contained in the State Performance Plan.)

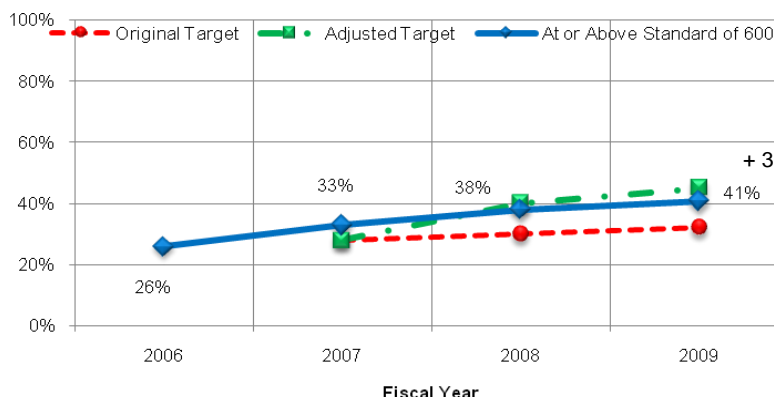
In FFY 2007, the target was twenty-eight percent (28%) and thirty-three percent (33%) of the respondents met or exceeded the standard of 600. The SEA reset the targets for FFYs 2008, 2009, and 2010 to 40%, 45%, and 50% respectively. Had the SEA been satisfied with the relatively low targets that increased in increments of two (2) from twenty-six percent (26%) to thirty-four percent (34%) then the actual data would have easily exceeded those targets in FFYs 2008 and 2009. See Table 1.

Table 1 Comparison of Original Targets, New Targets, and the Results

| FFY  | Original Target | Actual Data ≥ 600 | Met Original Target | Targets Reset to | Actual Data ≥ 600 | Met New Target? |
|------|-----------------|-------------------|---------------------|------------------|-------------------|-----------------|
| 2006 | n/a             | 26%               | n/a                 |                  |                   |                 |
| 2007 | 28%             | 33%               | Yes                 |                  |                   |                 |
| 2008 | 30%             | 38%               | Yes                 | 40%              | 38%               | No              |
| 2009 | 32%             | 41%               | Yes                 | 45%              | 41%               | No              |

Although the state did not reach the target in FFY 2009, progress was achieved with a gain of three percentage points (3%) as illustrated in Chart 2.

Chart 2 Comparison of Actual Data with Original and New Targets



The number of surveys returned decreased from 4,283 in FFY 2008 to 2,803 in FFY 2009, as illustrated in Chart 1 on Page 1. A plausible explanation for this is the fact that the surveys were distributed in August after the new school year began instead of in the spring of 2010.



**Table 2 KI - 12 Survey Items at or above the standard of 600**

| Item Calibration | Item   |
|------------------|--|
| 673              | I was offered special assistance (such as child care) so that I could participate in the Individualized Educational Program (IEP) meeting. |
| 653              | The school offers parents training about special education issues.   |
| 647              | I was given information about organizations that offer support for parents of students with disabilities.                                  |
| 634              | The school provides information on agencies that can assist my child in the transition from school.  |
| 600              | The school explains what options parents have if they disagree with a decision of the school.  |

**Table 3 Preschool Survey Items at or above the standard of 600**

| Item Calibration | Item  |
|------------------|---|
|                  | People from preschool special education, including teachers and other service providers:  |
| 689              | Connect families with one another for mutual support.   |
| 653              | Offer parents training about preschool special education.   |
| 647              | Give me information about organizations that offer support for parents (for example, Parent Training and Information Centers, Family Resource Centers, etc.). |
| 642              | Offer supports for parents to participate in training workshops.  |
| 639              | Provide me with information on how to get other services (e.g. childcare, parent support, respite, regular preschool program, WIC, food stamps).              |
| 600              | Explain what options parent have if they disagree with a decision made by the preschool special education program.  |

The mean measure for all returned surveys was 578, which is an increase from the mean measure for FFY 2008 of seven (7) percentage points. The ninety-five percent (95%) confidence interval for the true population mean for parents of students served in North Carolina lies somewhere in the range of 572.2 to 583.4. A ninety-five percent (95%) confidence interval means there is a ninety-five percent (95%) likelihood that the true mean falls within this range. For example, ninety-two percent (92%) of KI-12 and ninety-five percent (95 %) of preschool parents agreed that teachers are available to speak with parents. Sixty percent (60%) of the KI-12 parents agreed strongly or very strongly. Sixty-six percent (66%) of the preschool parents agreed strongly or very strongly.

Eighty-six percent (86%) of KI-12 and ninety-one percent (91%) of preschool parents agreed that teachers and administrators encourage parents to participate in the decision-making process. Fifty-three percent (53%) of the KI-12 parents agreed strongly or very strongly. Sixty-five percent (65%) of the preschool parents agreed strongly or very strongly.

However, only eighty percent (80%) of KI-12 parents and preschool parents agreed that their child's school gives parents the help they may need to play an active role in their child's education. Forty-four percent (44%) of the KI-12 parents agreed strongly or very strongly. Forty-nine percent (49%) of the preschool parents agreed strongly or very strongly.

Furthermore, only fifty-five percent (55%) of KI-12 parents and sixty percent (60%) of preschool parents agreed that their child's school offers parents training about special education issues. Twenty-eight percent (28%) of KI-12 parents agreed strongly or very strongly. Thirty-six percent (36%) of preschool parents agreed strongly or very strongly.

One must take into account the fact that some respondents used the same rating for all 25 items. When respondents fail to make any distinction among items that are known to have different levels of

agreeability, they are considered to display a response set, i.e. a uniform way of responding that makes it hard to determine whether the responses are authentic or are, in effect, a way of complying with the task.

A comparison of the respondents to the representative survey distribution, suggests that the following response groups did not match the representative sample surveyed.

- a) The 2009-10 data suggest that African-American students were under-represented (23%) while white students were over-represented (64%) in the survey results as compared to surveys distributed. Other minorities were evenly represented in the sample (13%) and the distribution (14%).

Chart 3 Surveys Distributed by Race/Ethnicity

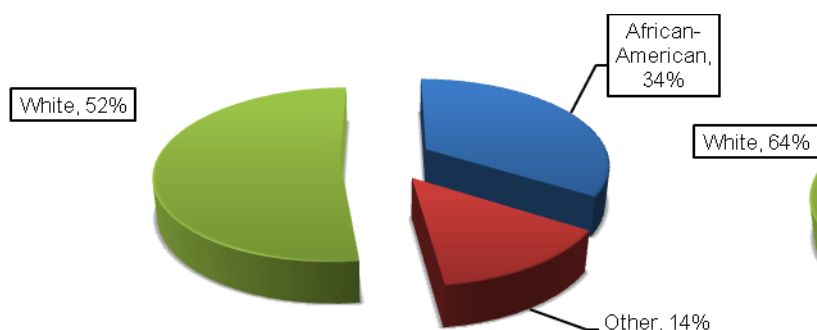
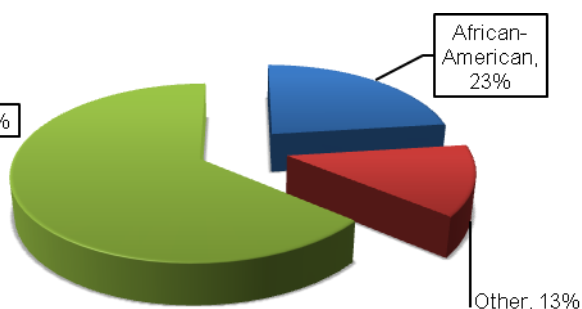


Chart 4 Surveys Returned by Race/Ethnicity



- b) In FFY 2009, school-aged students at the elementary level were over-represented (45%) while students at the high school level were under-represented (15%) in survey results as compared to surveys distributed. Preschool and middle school students were evenly represented in the sample (21% and 18%) and the distribution (20% and 19%).

Chart 5 Surveys Distributed by School Level

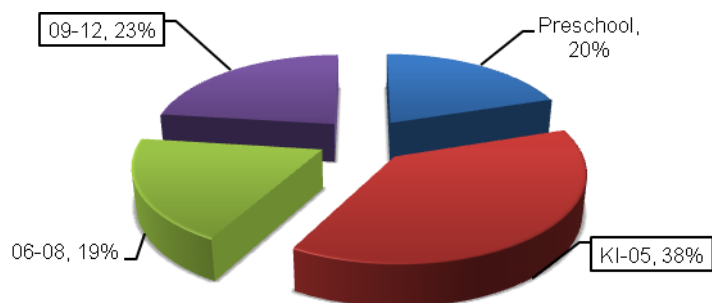
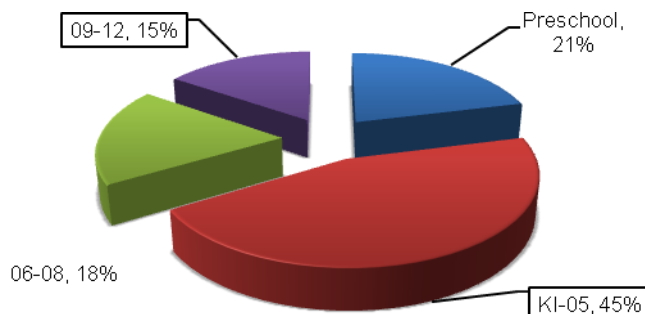


Chart 6 Surveys Returned by School Level



- c) In FFY 2009, students with intellectual disabilities were over-represented (44%) while students with specific learning disabilities (15%), speech-language impairment (13%), and other health impairment (8%) were under-represented in survey results as compared to surveys distributed.

Chart 7 Surveys Distributed by Disability

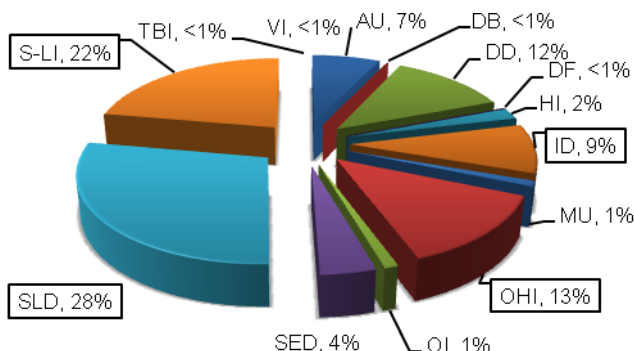
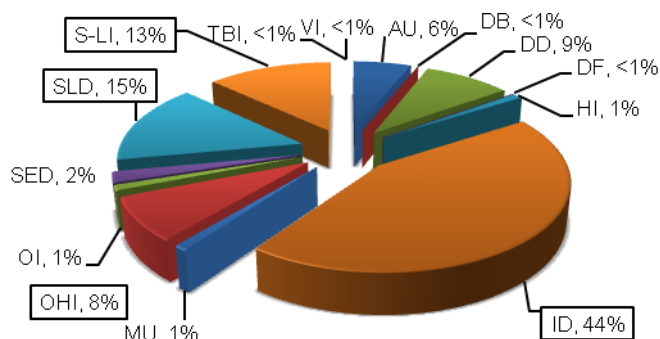


Chart 8 Surveys Returned by Disability



#### Improvement Activities:

| Activity  | Timeline                             | Status   |
|---|--------------------------------------|--|
| Make available to parents and school systems the Facilitated IEP Meeting Process.   | July 2006 –June 2011                 | Completed for 2009-10  |
| Conduct trainings for Parents on IDEA Federal Regulations and State Policies.   | July 2007-June 2011                  | Completed for 2009-10  |
| Develop web-based training modules on the implementation of IDEA Federal Regulations and State Policies.  | July 2008                            | Completed in 2009-10   |
| Work with Exceptional Children Assistance Center (ECAC) to ensure completion and return of surveys. Explore other means of ensuring completion and return of surveys, particularly for under-represented populations. | March – May 2008<br>March – May 2009 | Completed for 2009-10<br>Due to the lack of response in 2008-09, the web-based survey was not provided for parents in 2009-10. NCDPI will continue to work with ECAC to explore other options for ensuring completion and return of surveys. |
| The EC Division provides funds for stipends for parents participating as instructors in IHE B-K programs. This support encourages parent involvement in personnel preparation.  | 2008 - 2011                          | Completed for 2009-10  |

|  |             |                                 |
|--|-------------|---------------------------------|
| The EC Division and ECAC co-sponsor training institutes, for parents and educators together, across the State and throughout the school year. This joint training promotes parent involvement. | 2008 - 2011 | Partially Completed for 2009-10 |
|--|-------------|---------------------------------|

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for **FFY 2009**:

The 2010-11 target (50%) and 2010-11 improvement activities have been extended in the State Performance Plan (SPP) for 2011-12 and 2012-13. The approved sampling plan for collecting the data has also been extended in the SPP by implementing the first two years of the plan for 2011-12 and 2011-13. These extensions meet the requirements for extending the State Performance Plan for two years.

**Part B State Annual Performance Report (APR) for 2009-10**

**Overview of the Annual Performance Report Development:** See description in Overview Section.

|  |
|--|
| <b>Monitoring Priority: Disproportionality</b> |
|--|

**Indicator 9:** Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

|                     |
|---------------------|
| <b>Measurement:</b> |
|---------------------|

Percent = [(# of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification) divided by the (# of districts in the State)] times 100.

Include State's definition of "disproportionate representation."

| FFY     | Measurable and Rigorous Target   |
|---------|--|
| 2008-09 | 0% of the LEAs will have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. |

**Actual Target Data for 2009-10:**

| Year    | # of Districts with Disproportionate Representation in Special Education | # of Districts with Disproportionate Representation in Special Education that is the Result of Inappropriate Identification | # of Districts in the State | Rate |
|---------|--|---|-----------------------------|------|
| 2009-10 | 2  | 0   | 214*                        | 0%   |

\*2008-09 - 115 traditional LEAs, 96 public charter schools, 3 state-operated programs

Sources: 2009-10 First Month Race and Gender Enrollment Data Report, December 1, 2009 Periodic Child Count (618 State-reported data), and Fall 2009 LEA Self-Assessment for Disproportionate Representation data and/or its update.

**Definition of "Disproportionate Representation" and Methodology**

To determine the number of LEAs with disproportionate representation that is the result of inappropriate identification, the North Carolina Department of Public Instruction:

1. Identifies districts with disproportionate representation of racial and ethnic groups in special education and related services, by using the First Month Race and Gender Enrollment data and

the December 1 Periodic Child Count data in Westat's Disproportionality Excel Spreadsheet Application;

Two (2) LEAs had disproportionate representation in 2009-10 by over-representation which is determined by a risk ratio of  $\geq 3^*$ . Also upon review of the data, no LEA had findings of under-representation, determined by a risk ratio of  $<.03^*$ . For the LEAs identified with disproportionate representation, the NCDPI completed steps 2 and 3.

\* Risk ratios are computed for LEAs with a minimum of 40 students (same as AYP subgroup) of the particular race/ethnicity identified in the disability category. Data are reviewed separately for LEAs with less than the minimum enrollment/"n" size specified to determine if disproportionate representation exists.

2. Surveys LEAs with disproportionate representation, using a State-developed LEA Self-Assessment for Disproportionate Representation or an updated self-assessment if previously completed, which is an examination of local policies, procedures and practices under 618(d); and
3. Examines the results of the LEA Self-Assessment for Disproportionate Representation along with other factors such as risk ratio trend data and student record reviews to make a determination about whether or not the disproportionate representation is a result of inappropriate identification.

Using these steps to examine the data, zero LEAs in 2009-10, or 0% had disproportionate representation in racial and ethnic groups in special education and related services that was a result of inappropriate identification.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2009-10:**

| Activity  | Timeline                                     | Status  |
|---|--|---|
| Train key school system staff on how to conduct a Targeted Record Review.   | January 2006 through August 2006 and ongoing | <b>Completed for 2009-10</b> - EC Division consultants trained school district staff, on how to conduct targeted record reviews in LEA requested sites.   |
| LEAs will develop a technical assistance and professional development plan within their Continuous Improvement Performance Plan (CIPP). The plan will include training tailored for all stakeholders.   | September 2006 and ongoing                   | <b>Completed for 2009-10</b> – LEAs submitted technical assistance/ professional development plans as part of a district's CIPP submitted in the Spring of 2009.  |
| Monitor strategies identified in CIPP to ensure that LEAs are implementing scientifically-based research strategies in reading, math and writing instructional strategies in special and general education settings and Positive Behavior Intervention and Support, Instructional Consultation Teams, and Responsiveness to Instruction Models. | December 2006 and ongoing                    | <b>Continuing</b> - Using data and information from NC's reading/writing, math and Positive Behavior Intervention and Support demonstration centers and sites, the EC Division Regional teams of consultants monitored identified strategies and provided technical assistance and training to LEAs regarding scientifically-based research strategies. |

|   |  |   |
|---|--|---|
| Publicize State and school system disproportionate representation data on the Exceptional Children Division "Data and Reports" website.   | Annually   | <b>Partially completed</b> – Some information for all districts has been publicized on the EC Division website through the use of the LEA public reports. Additional data for districts with disproportionate representation has also been posted on the website. The EC Division will review the information it publishes regarding the risk ratio comparative data once the data for the new race/ethnicity categories becomes effective and is available through the data warehouse. |
| Staff will analyze LEA data regarding disproportionate representation in racial and ethnic groups in special education that was the result of inappropriate identification to determine districts that met the state target and districts, if any, that did not meet the state target in preparation for February and March regional meetings to review/discuss CIPPs, including progress/ slippage and improvement activities.   | February and March 2007, and annually thereafter | <b>Completed for 2009-10</b> - EC Division staff reviewed and analyzed each LEA's CIPP and 2009-10 data. From the review and analyses, an LEA data profile was prepared for each LEA for use in the 8 regional follow-up meetings conducted during February and March 2009.   |
| Staff from the Exceptional Children Division will meet with LEAs in regional meetings to review/discuss CIPPs, including disproportionate representation in racial and ethnic groups in special education that was the result of inappropriate identification, improvement activities that LEAs had completed and that helped to maintain progress on this indicator, those improvement activities that LEAs had not completed and/or did not help with maintaining progress on this indicator. | Fall 2007 and annually thereafter                | <b>Completed for 2009-10</b> – Eight (8) of eight (8) regional follow-up meetings were conducted during February and March 2009 to: discuss findings/LEA data profiles prepared by NCDPI; further analyze reasons for disproportionate representation of racial and ethnic groups that was a result of inappropriate identification; and to provide technical assistance regarding improvement strategies.  |

|  |                    |   |
|--|--------------------|---|
| <p>The Exceptional Children Division regional teams identified and began meeting with one - two districts in each of NC's six (6) regions to provide focused technical assistance, including professional development. Districts that were in greatest need of focused technical assistance were identified based on integrated data analyses that included graduation rates, drop-out rates, proficiency rates on statewide reading and math assessments, disciplinary data, and other program improvement implementation data, including disproportionate representation of racial and ethnic groups in specific disability categories that is a result of inappropriate identification.</p> | <p>2007 – 2010</p> | <p><b>Continuing in 2009-10-</b> This has been a continuing effort in NC. NCDPI, including the EC Division, has realigned staff to 8 regions (from 6) and the use of NCDPI Regional Roundtables to provide LEAs with focused technical assistance and training. The work of the EC Division regional teams (focused on students with disabilities in individual districts) has been incorporated into the larger scope of the Regional Roundtables (focused on all students in individual districts). EC regional staff consultants are members of their respective Regional Roundtables.</p> |
|--|--------------------|---|

Explanation of Progress or Slippage:

North Carolina met the target of 0%, since no districts were identified as having disproportionate representation of racial and ethnic groups in special education and related services that was a result of inappropriate identification. North Carolina maintained its progress on this indicator by continuing the rate of 0% in 2009-10.

In step one (1) of the determination process for this indicator, the NCDPI identified two (2) of 214 LEAs with disproportionate representation of racial and ethnic groups in special education and related services. The 2 LEAs were comprised of public charter schools.

Steps two (2) and three (3) of the process were conducted to determine if the disproportionate representation of racial and ethnic groups in special education and related services in the 2 LEAs was a result of inappropriate identification. In step 2, the 2 LEAs updated a previously submitted self-assessment through the CIPP. In step 3, NCDPI staff examined the results of the updated information, along with other factors including: risk ratio trend data for ages 6- 21, grades K-6 risk ratio data, and internal student record reviews for each of the 2 LEAs. NCDPI staff also examined some student records in CECAS. In each of the 2 LEAs, the NCDPI determined that the disproportionate representation of racial and ethnic groups in specific disability categories was not a result of inappropriate identification.

During the examinations/reviews, the NCDPI noted that both of the public charter schools had higher percentages of students of minority racial and ethnic groups and students with disabilities enrolled. One of the contributing reasons for parents enrolling their children in the public charter schools were smaller class sizes in regular classrooms and resulting opportunities for more personalized instruction that students may be afforded. Both LEAs will continue to identify and address, through improvement activities in their CIPPs, any other factors unique to the LEAs that may be contributing to disproportionate representation.

**Correction of FFY 2008 Findings of Noncompliance (if State did not report 0%):**

Level of compliance (actual target data) State reported for FFY 2008 for this indicator: **0%**



**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2009-10:**

The 2010-11 target (0%) and 2010-11 improvement activities have been extended in the State Performance Plan for 2011-12 and 2012-13. These extensions meet the requirements for extending the State Performance Plan for two years.

**Part B State Annual Performance Report (APR) for 2009-10**

**Overview of the Annual Performance Report Development:** See description in Overview Section.

|  |
|--|
| <b>Monitoring Priority: Disproportionality</b> |
|--|

**Indicator 10:** Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

|                     |
|---------------------|
| <b>Measurement:</b> |
|---------------------|

Percent = [(# of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification) divided by the (# of districts in the State)] times 100.

Include State's definition of "disproportionate representation."

| FFY     | Measurable and Rigorous Target   |
|---------|--|
| 2009-10 | 0% of the LEAs will have disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. |

**Actual Target Data for 2008-09:**

| Year    | # of Districts with Disproportionate Representation | # of Districts with Disproportionate Representation in Specific Disability Categories that is the Result of Inappropriate Identification | # of Districts in the State | Rate |
|---------|---|--|-----------------------------|------|
| 2009-10 | 30  | 0  | 214*                        | 0%   |

\*2009-10- 115 traditional LEAs, 96 public charter schools, 3 state-operated programs

Sources: 2009-10 First Month Race and Gender Enrollment Data Report, December 1, 2009 Periodic Child Count (618 State-reported data), and Fall 2010 LEA Self-Assessment and/or update for Disproportionate Representation data and/or record reviews.

**Definition of “Disproportionate Representation” and Methodology**

To determine the number of districts with disproportionate representation that is the result of inappropriate identification, the North Carolina Department of Public Instruction:

1. Identifies districts with disproportionate representation of racial and ethnic groups in special education and related services, by using the First Month Race and Gender Enrollment data and the December 1 Periodic Child Count data in Westat's Disproportionality Excel Spreadsheet Application;

Thirty (30) LEAs had disproportionate representation in 2009-10 by over-representation which is determined by a risk ratio of  $\geq 3^*$  of a racial/ethnic group in a specific disability category. No LEAs had disproportionate representation by under-representation, which is determined by a risk ratio of  $<.03^*$ . For the districts identified with disproportionate representation, the NCDPI completed steps 2 and 3.

\* Risk ratios are computed for LEAs with a minimum of 40 students (AYP subgroup size) of the particular race/ethnicity identified in the disability category. Data are reviewed separately for LEAs with less than the minimum enrollment specified to determine if disproportionate representation exists.

2. Surveys LEAs with disproportionate representation, using a State-developed LEA Self-Assessment for Disproportionate Representation or an update of the self-assessment through the Continuous Improvement Planning Process (CIPP), which is an examination of local policies, procedures and practices under 618(d); and
3. Examines the results of the LEA Self-Assessment for Disproportionate Representation along with other factors such as: risk ratio trend data and student record reviews, to make a determination about whether or not the disproportionate representation is a result of inappropriate identification.

Using these steps to examine the data, zero districts in 2009-10, or 0% had disproportionate representation, in racial and ethnic groups in specific disability categories, that was a result of inappropriate identification.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2009-10:**

| Activity  | Timeline                                     | Status   |
|---|--|--|
| Train key school system staff on how to conduct a Targeted Record Review.   | January 2006 through August 2006 and ongoing | <b>Completed for 2009-10</b> - EC Division consultants trained school district staff, on how to conduct targeted record reviews in LEA requested sites.          |
| LEAs will develop a technical assistance and professional development plan within their Continuous Improvement Performance Plan (CIPP). The plan will include training tailored for all stakeholders. | September 2006 and ongoing                   | <b>Completed for 2009-10</b> — LEAs submitted technical assistance/ professional development plans as part of a district's CIPP submitted in the Spring of 2009. |
| Monitor strategies identified in CIPP to ensure that LEAs are implementing scientifically-based research strategies in reading,   | December 2006 and ongoing                    | <b>Continuing</b> - Using data and information from NC's reading/writing, math and Positive Behavior Intervention  |

|  |  |   |
|--|--|---|
| math and writing instructional strategies in special and general education settings and Positive Behavior Intervention and Supports, Instructional Consultation Teams, and Responsiveness to Instruction Models.   |  | and Support demonstration centers and sites, the EC Division Regional teams of consultants monitored identified strategies and provided technical assistance and training to LEAs regarding scientifically-based research strategies.   |
| Publicize State and school system disproportionate representation data on the Exceptional Children Division "Data and Reports" website.  | Annually   | <b>Partially completed</b> – Some information for all districts has been publicized on the EC Division website through the use of the LEA public reports. Additional data for districts with disproportionate representation has also been posted on the website. The EC Division will review the information it publishes regarding the risk ratio comparative data once the data for the new race/ethnicity categories becomes effective and is available through the data warehouse. |
| Staff will analyze LEA data regarding disproportionate representation in racial and ethnic groups in specific disability categories that was the result of inappropriate identification to determine districts that met the state target and districts, if any, that did not meet the state target in preparation for February and March regional meetings to review/discuss CIPPs, including progress/ slippage and improvement activities. | February and March 2007, and annually thereafter | <b>Completed for 2009-10</b> - EC Division staff reviewed and analyzed each LEA's CIPP and 2009-10 data. From the review and analyses, an LEA data profile was prepared for each LEA for use in the 8 regional follow-up meetings conducted during February and March 2009.   |
| Staff from the Exceptional Children Division will meet with LEAs in regional meetings to review/discuss CIPPs, including disproportionate representation in racial and ethnic groups in specific disability categories that was the result of inappropriate identification, improvement activities that LEAs had completed and that helped to  | Fall 2007 and annually thereafter                | <b>Completed for 2009-10</b> – Eight (8) of eight (8) regional follow-up meetings were conducted during February and March 2009 to: discuss findings/LEA data profiles prepared by NCDPI; further analyze reasons for disproportionate representation of racial and ethnic groups that was a result of inappropriate identification; and to provide   |

|   |             |  |
|---|-------------|--|
| maintain progress on this indicator, those improvement activities that LEAs had not completed and/or did not help with maintaining progress on this indicator.  |             | technical assistance regarding improvement strategies.   |
| The Exceptional Children Division regional teams identified and began meeting with one - two districts in each of NC's six (6) regions to provide focused technical assistance, including professional development. Districts that were in greatest need of focused technical assistance were identified based on integrated data analyses that included graduation rates, drop-out rates, proficiency rates on statewide reading and math assessments, disciplinary data, and other program improvement implementation data, including disproportionate representation of racial and ethnic groups in specific disability categories that is a result of inappropriate identification. | 2007 – 2010 | <b>Continuing in 2009-10-</b> This has been a continuing effort in NC. NCDPI, including the EC Division, has realigned staff to 8 regions (from 6) and the use of NCDPI Regional Roundtables to provide LEAs with focused technical assistance and training. The work of the EC Division regional teams (focused on students with disabilities in individual districts) has been incorporated into the larger scope of the Regional Roundtables (focused on all students in individual districts). EC regional staff consultants are members of their respective Regional Roundtables. |

*Explanation of progress or slippage:*

North Carolina met the 2009-10 target of 0% of the LEAs having disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. The State maintained the 0% target from 2008-09.

In step one (1) of the determination process for this indicator, the NCDPI identified thirty (30) of 214 LEAs with disproportionate representation of racial and ethnic groups in specific disability categories. The 30 LEAs were comprised of traditional school districts.

Steps two (2) and three (3) of the process were conducted to determine if the disproportionate representation of racial and ethnic groups in specific disability categories in the 30 LEAs was a result of inappropriate identification. In step 2, the 30 LEAs completed and submitted a newly developed LEA Self- Assessment for Disproportionate Representation or updated a previously submitted self-assessment through the CIPP. In step 3, NCDPI staff examined the results of the LEA Self-Assessment for Disproportionate Representation, along with other factors including: risk ratio trend data for ages 6- 21, grades K-6 risk ratio data, and internal student record reviews for each of the 30 LEAs. NCDPI staff also examined some student records in CECAS. In each of the 30 LEAs, the NCDPI determined that the disproportionate representation of racial and ethnic groups in specific disability categories was not a result of inappropriate identification.

During the examinations/reviews, the NCDPI noted that LEAs were implementing various practices to continue to reduce disproportionate representation of racial and ethnic groups in specific disability categories, including identifying and addressing other factors unique to LEAs that may be contributing to disproportionate representation.

**Correction of FFY 2008 Findings of Noncompliance (if State did not report 0%):**

Level of compliance (actual target data) State reported for FFY 2008 for this indicator: **0%**

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2009-10:**

The 2010-11 target (0%) and 2010-11 improvement activities have been extended in the State Performance Plan for 2011-12 and 2012-13. These extensions meet the requirements for extending the State Performance Plan for two years.

## Part B State Annual Performance Report (APR) for 2009-10

**Overview of the Annual Performance Report Development:** See description in Overview Section.

**Monitoring Priority: Effective General Supervision Part B / Child Find**

**Indicator 11:** Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.

**Note:** North Carolina has an established timeline (90 days) from receipt of the referral to the placement determination, as indicated in the measurement. The 90-day timeline/receipt of the referral begins before parental consent to evaluate.

(20 U.S.C. 1416(a)(3)(B))

**Measurement:**

- a. # of children for whom referral for evaluation was received.
- b. # of children whose referral, evaluations, eligibility, and placement determinations were completed within 90 days (State established timeline).\*

Account for children included in “a” but not included in “b”. Indicate the range of days beyond the timeline when eligibility was determined and any reasons for the delays.

Percent = [(b) divided by (a)] times 100.

| FFY     | Measurable and Rigorous Target    |
|---------|-----------------------------------|
| 2009-10 | The level of performance is 100%. |

**Actual Target Data for 2009-10:**

| # of Referrals received<br>July 1, 2009 – June<br>30, 2010 | # of children whose referral,<br>evaluations, eligibility and<br>placement determinations<br>were made within 90 days | Rate<br>[(b) divided by (a)] times<br>100 | # of students for<br>whom placement<br>determinations<br>exceeded the 90-<br>day timeline |
|--|---|---|---|
| 38053*   | 34301   | 90.14%                                    | 3752  |

\*Removed from this number - children who transferred in or out of the LEA, dropped out, or died within 90 days of receipt of referral (1311); children who transferred into the LEA after the 90 day timeline expired (411); and children whose parent(s) repeatedly failed or refused to produce them for the evaluation (94).

**Range of days beyond 90 days –**

1 to 5 days – 705

6 – 15 days – 813

16 – 25 days – 469  
 26 – 35 days – 298  
 36 – 45 days – 247  
 46 days or more – 1220

**Reasons for delays/referrals that went beyond the 90 day timeline –**

Referral paperwork not processed in a timely manner – 1101

Excessive student absences – 125

Weather delays – 294

Delay in getting parent consent for evaluation – 521

Other – 1711

The 2009-10 data were collected through the Comprehensive Exceptional Children Accountability System (CECAS) for the first time. Prior to 2009-10 data were collected through a survey completed by all local education agencies using a web-based EXCEL spreadsheet. Allowable exceptions, that were removed from the number of referrals received, were included in CECAS as follows: children who transferred in or out of the LEA, dropped out, or died within 90 days of receipt of referral; children who transferred into the LEA after the 90 day timeline expired; and children whose parent(s) repeatedly failed or refused to produce them for the evaluation.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2009-10:**

| Activity   | Timeline            | Status  |
|--|---------------------|---|
| CECAS will be updated to collect and analyze the required data in future years.  | 2007-08 and ongoing | <b>Completed for 2009-10 -</b><br>The EC Delivery Team collected the data through CECAS for the first time.   |
| LEAs will receive training on how to collect data through CECAS.   | 2007-08 and ongoing | <b>Completed in 2009-10 -</b><br>LEA training and technical assistance has occurred and will continue as needed.  |
| The State Education Agency will identify effective strategies from those LEAs that have reached 100% to share with those LEAs that have not reached 100% compliance. | 2006-07 and ongoing | <b>Completed for 2009-10 -</b><br>Districts' efficient, effective processes/ systems were shared with LEAs during 8 regional follow-up meetings conducted in February and March 2009. |



|  |                                     |  |
|--|-------------------------------------|--|
| Following the review and analyses of CIPPs, DPI staff will conduct regional meetings with LEAs to: discuss findings; further analyze reasons for non-compliance; and provide technical assistance regarding improvement strategies to correct non-compliances within one year.   | Spring 2007 and annually thereafter | <b>Completed for 2009-10</b> - Eight (8) of eight (8) regional follow-up meetings for LEAs were conducted during February and March 2009 to: discuss findings/LEA data profiles prepared by NCDPI; further analyze reasons for non-compliance; and provide technical assistance regarding improvement strategies to correct non-compliances within one year. |
| The State Education Agency will further analyze the data by regions and determine whether or not regional interventions/improvement strategies are needed.   | Spring 2007 and annually thereafter | <b>Completed for 2009-10</b> - Data were analyzed by region and findings are discussed in the explanation of progress below (no regional pattern occurred in 2009-10, as in previous years).   |
| Following the first year of implementation of improvement strategies, the State Education Agency will further analyze LEA data to determine if targeted interventions are needed for any LEAs (e.g., if any LEAs are continuing to experience high rates of non-compliance).   | Spring 2008 and annually thereafter | <b>Completed for 2009-10</b> - NCDPI provided follow-up technical assistance for LEAs that had low levels of compliance with minimal progress to verify root causes and identify strategies to correct non-compliant findings.   |
| The State Education Agency will provide further follow-up with those LEAs (public charter schools) that reported having no referrals for evaluation to ensure child find policies are being implemented.   | Spring 2008 and annually thereafter | <b>Completed for 2009-10</b> - NCDPI staff contacted 7 LEAs that initially reported no referrals to ensure child find policies are being implemented.  |
| The State Education Agency (SEA) will develop a self-assessment tool to identify effective practices for school-aged and preschool-aged children. The SEA will analyze data and information collected through the use of the self-assessment and compare compliance rates to practices implemented. Effective practices and strategies will be shared with those | 2009-2010; 2010-2011                | <b>Completed for 2009-10</b> - A self-calculating spreadsheet was developed which will assist LEAs in tracking children for whom they receive child find notification lists from Part C. Additional information allows LEAs to   |

|  |                      |  |
|--|----------------------|--|
| LEAs that have not reached 100% compliance.  |                      | track the 90 day timeline for these children for Indicator 11.                           |
| The Preschool Assessment Center Initiative is a best practice model for efficient and appropriate assessments for very young preschool children. Five LEAs were selected and funded to become best practice centers for demonstration purposes. The model assists with addressing needs identified in the state for achieving the 90-day timeline requirements, for preschool children, in Indicator 11. | 2009-2010; 2010-2011 | <b>Completed for 2009-10-</b><br>Status will be reported in February 1, 2011 submission. |

*Explanation of Progress or Slippage:*

North Carolina failed to meet the 100% target by 9.86 percentage points. Its rate on this Indicator represents a 0.51 percentage point decrease from 2008-09. The slippage was due to a 15.2% increase, or an additional 5,033 referrals received in 2009-10, coupled with a new data collection system for this indicator. Due to technical requirements for closing and verifying forms in CECAS, and other bugs that are currently being fixed in the data system for the new collection, an LEA may have completed the 90-day process in a timely manner or the 90-day timeline is not yet due, but a report shows such files as being late with the 90-day timeline, and therefore not compliant. As a result, as a short-term solution, NCDPI staff reviewed each file individually to determine compliance until the issues can be resolved. Because some of these issues were not discovered until the last few days of January 2011, staff implemented this short-term plan to ensure an accurate compliance rate for this indicator.

Seventy-one (71) LEAs had rates of 100%, an additional seventy-six (76) LEAs had rates above 90%, and sixty-seven (67) LEAs had rates 90% or below. Fifteen (15) of the 67 LEAs that had rates 90% or below had four (4) or fewer records that did not meet the 90-day timeline.

Root causes contributing to the delays in completing the 90-day process in a timely manner varied among the districts. Most often, the root causes were similar to the previous year and were related to personnel issues (e.g., lack of/a limited number of personnel; staff turnover; and/or use of contracted personnel to conduct evaluations in smaller, more rural districts; and individual personnel failing to complete job requirements in medium-sized to larger districts). In some instances, the number of school closure days due to inclement weather prohibited some LEAs from meeting the 90-day timeline for some students. A regional pattern of referrals not processed within the 90 day timeline did not occur in 2009-10.

NCDPI staff followed-up with the seven (7) LEAs that received no initial referrals for evaluation and verified the accuracy of this data. One (1) traditional LEA re-certified its data in CECAS to reflect the initial referrals it had received in 2009-10. The NCDPI verified that the other 6 LEAs, which were public charter schools, received no initial referrals in 2009-10.

In 2009-10 there was an increase from the previous year of 5033 initial referrals received for evaluation, which is a 15.3% increase from 2008-09. Overall, 24.7% of the referrals for evaluation resulted in students determined to be ineligible for special education and related services. This represents a 5.0 percentage point increase from the previous year, well under the percentage point increase in number of referrals received.

**2009-10 Compliance Findings:**

For 2009-10, seventy-one (71) LEAs exhibited 100% compliance with this indicator. 143 LEAs were not compliant with this indicator (143 findings) in 2009-10.

The 143 LEAs with findings of non-compliance are required to submit data/evidence, as soon as possible and no later than one year from notification of the non-compliant findings, that the referral, evaluation, eligibility and placement determinations have been completed for all child-specific findings (3752) for whom the 90-day timeline was not met. Additionally, LEAs will be required to access the reports tool in CECAS (or another electronic data system for the few LEAs not using CECAS) on a quarterly basis to review new data to determine correction of non-compliance. Any LEA whose data is non-compliant in the first quarter will be reviewed on a quarterly basis and required to submit data/evidence of any changes made to improvement activities or other processes as part of its CIPP in the Spring of 2011. Eight (8) of the 68 LEAs that had compliance rates below 75% as a result of more than one referral must also submit quarterly data to NCDPI and other evidence, such as changes to policies, procedures or practices (e.g. implementing an electronic system for monitoring the process, procedures for contract personnel, employment of personnel, etc.) to show correction of non-compliance as soon as possible but no later than one year from the notification of the non-compliant findings.

**Correction of FFY 2008 Findings of Noncompliance (if State reported less than 100% compliance)**

Level of compliance (actual target data) State reported for FFY 2008 for this indicator: **90.2%**

|   |            |
|---|------------|
| 7. Number of findings of noncompliance the State made during FFY 2008 (the period from July 1, 2008 through June 30, 2009)                                | <b>100</b> |
| 8. Number of FFY 2008 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding) | <b>100</b> |
| 9. Number of FFY 2008 findings <u>not</u> verified as corrected within one year [(1) minus (2)]   | <b>0</b>   |

**Correction of FFY 2008 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):**

|  |          |
|--|----------|
| 10. Number of FFY 2008 findings not timely corrected (same as the number from (3) above)                                   | <b>0</b> |
| 11. Number of FFY 2008 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction") | <b>0</b> |
| 12. Number of FFY 2008 findings <u>not</u> yet verified as corrected [(4) minus (5)]                                       | <b>0</b> |

**Actions taken if Noncompliance Not Corrected:** N/A

**Verification of Correction (either timely or subsequent)**

1) 100 of 100 LEAs submitted, within the one year timeline, to the NCDPI data/evidence that the referral, evaluation, eligibility and placement determinations have been completed, although late, for all child-specific findings for who the 90-day timeline was not met.

2) NCDPI monitoring consultants reviewed the corrections of non-compliance, as well as new data, to verify the LEAs were implementing the specific regulatory requirements. Thirty on-site verification visits were conducted. They also conducted thirty (30) on-site verification visits to verify the correction of non-compliance found in compliance indicators, including Indicator 11 and found that the LEAs visited were implementing the specific regulatory requirements. NCDPI also began piloting the use of its new collection system for Indicator 11, including the new data analyses tool, as a mechanism for examining new data for compliance in order to determine the implementation of specific regulatory requirements, as well as correction of non-compliance of child-specific findings.

**Additional Information Required by the OSEP APR Response Table for this Indicator (if applicable):**

| Statement from the Response Table   | State's Response  |
|---|---|
| "If the State is unable to demonstrate compliance in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary, to ensure compliance." | NCDPI staff have reviewed the improvement activities and revised one activity regarding the new data collection mechanism to be used to examine new data, as well as correction of child specific findings. |

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2009-10:**

The 2010-11 target (100%) and 2010-11 improvement activities have been extended in the State Performance Plan for 2011-12 and 2012-13. These extensions meet the requirements for extending the State Performance Plan for two years.

Since North Carolina is not reporting 100% compliance, it proposes to revise the following improvement activity in the SPP to help ensure the LEAs and SEA can demonstrate compliance.

|  |                   |   |
|--|-------------------|---|
| <del>CECAS will be</del> <u>has been</u> updated to collect and analyze the required data <del>in future years. and will be used by the SEA and LEAs to examine new data to verify implementation of specific regulatory requirements, as well as correction of child specific findings.</del> | 2007-08 – 2012-13 | <ul style="list-style-type: none"> <li>• CECAS Staff</li> <li>• <u>EC Division Staff</u></li> </ul> |
|--|-------------------|---|

**Part B State Annual Performance Report (APR) for 2009-10**

**Overview of the Annual Performance Report Development:** See description in Overview Section.

|   |
|---|
| <b>Monitoring Priority: Effective General Supervision Part B / Effective Transition</b> |
|---|

**Indicator 12:** Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.

(20 U.S.C. 1416(a)(3)(B))

|                            |
|----------------------------|
| <p><b>Measurement:</b></p> |
|----------------------------|

- |  |
|--|
| <ul style="list-style-type: none"> <li>a. # of children who have been served in Part C and referred to Part B (LEA notified pursuant to 637(a)(9)(A)) for Part B eligibility determination.</li> <li>b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to their third birthdays.</li> <li>c. # of those found eligible who have an IEP developed and implemented by their third birthdays.</li> <li>d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services.</li> <li>e. # of children whose parents repeatedly failed or refused to produce them for the evaluation.</li> <li>f. # of children transferred into or out of the LEA during transition from Part C.</li> <li>g. # of children who were referred to Part C less than 90 days before their third birthdays.</li> </ul> |
|--|

|  |
|--|
| <p>Exception 300.301(d) was broken into two sections (d and e) for clarification purposes.</p> |
|--|

|   |
|---|
| <p>Account for children included in a but not included in b, c, d, e, f, or g. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed and the reasons for the delays.</p> |
|---|

|  |
|--|
| <p>Percent = [(c) divided by (a - b - d - e - f - g)] times 100.</p> |
|--|

| FFY     | Measurable and Rigorous Target  |
|---------|---|
| 2009-10 | 100% of children referred by Part C prior to age 3 and who are found eligible for part B will have an IEP developed and implemented by their third birthdays. |

Actual Target Data for 2009-2010:

| <b>SECTION A: Timely Transition</b>   |              |
|---|--------------|
| <b>a: Number of children who have been served in Part C and referred to Part B for eligibility determination (referral received by LEA).</b>                                  | 4617         |
| <b>b: Number of those referred determined to be not eligible by their third birthday.</b>   | 925          |
| <b>c: Number of those found eligible who have an IEP developed and implemented by their third birthday.</b>   | 2949         |
| <b>d: Number of children for whom parent refusal to provide consent caused delays in evaluation or initial services.</b>  | 195          |
| <b>e: Number of children whose parents repeatedly failed or refused to produce them for the evaluation.</b>   | 81           |
| <b>f: Number of children transferred into or out of the LEA during transition from Part C.</b>  | 147          |
| <b>g: Number of children who were referred to Part C less than 90 days before their third birthday.</b>   | 132          |
| <b>h: Number of children with placement delayed beyond their third birthday</b>   | 188          |
| <b>Rate (c divided by (a-b-d-e-f-g) times 100):</b>   | <b>94.0%</b> |
| <b>SECTION B: Enter the number of students delayed beyond 3rd birthday the following number of days. These students are included in "a" but not in "b", "d", "e", or "f".</b> |              |
| <b>1 to 5</b>   | 21           |
| <b>6 to 15</b>  | 32           |
| <b>16 to 25</b>   | 23           |
| <b>26 to 35</b>   | 23           |
| <b>36 to 45</b>   | 18           |
| <b>46 days or more</b>  | 71           |
| <b>TOTAL (should equal A through H)</b>   | 188          |

| <b>SECTION C: Number of students delayed due to the following reasons</b><br><b>** Section B total must match Section C total</b>  |            |
|--|------------|
| <b>a. Family Circumstance:</b> (e.g., illness/death in family, change in custody, etc.)  | 55         |
| <b>b. Child Circumstance:</b> (e.g., Child was sick)   | 17         |
| <b>c. Part B Circumstance:</b> (e.g., Delays relating to completion of evaluations, holding timely IEP meeting, arranging transportation, school enrollment paperwork, etc.)   | 95         |
| <b>d. Part C Circumstance:</b> ( e.g., Delays relating to Part C failing to notify or issue transition planning meeting invitation to Part B in a timely manner when child was in Part C system prior to 2 years, 9 months of age) | 21         |
| <b>TOTAL (should equal A through D)</b>  | <b>188</b> |

**Data Utilized for Analysis and Verification and Assurance of Data Accuracy in 2009-10:**

The data used to report on this indicator includes statewide data that are inclusive of every school district in the state that provides special education and related services to the preschool-age population. Data were not obtained by sampling. The Department created Excel spreadsheets with the above data collection fields which automatically calculated the percentage of timely transitions. Each LEA was then required to have its Exceptional Children Director sign an assurance as to the accuracy of the data. Spreadsheets were then electronically sent to the Department. The Department created an optional spreadsheet to assist LEAs in tracking the referral and placement dates for each student.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2009-10:***Explanation of Progress or Slippage*

North Carolina did not meet the target of 100%. The Department's transition data of **94.0%** indicated progress, or a +1.2 percentage point change from 2008-09. The total number of children transitioning from the Part C system (4617) was an 11% increase from 2008-09. The number of children made eligible for services (2949) was a 9.1% increase from 2008-09. While improving overall performance of conducting timely transitions (e.g., addressing weakness in the transition process and building capacity for conducting entry level assessments and placements), LEAs also processed and served more transitioning children overall.

Eighty-eight (88) of 115 LEAs (77%) that had children who had been served in Part C and referred to Part B for eligibility determination in 2009-10 demonstrated 100% compliance. Of the compliant LEAs, twelve(12) raised their performance from non-compliant to compliant and seventy-five (75) maintained compliance. Twenty-seven (27) LEAs were non-compliant (23%). Of the non-compliant LEAs, eight (8) showed improvement from the previous year's performance while eleven (11) demonstrated slippage. Six (6) noncompliant LEAs had a compliance rate  $\geq 95\%$ , fourteen (14) demonstrated non-compliance between  $>75\%$  to  $<95\%$ , while seven (7) were noncompliant with a rate of  $\leq 75\%$ . The most significant

increase in the state's overall data was the result in one of the largest LEAs (n=358) improvement, with a 30.23% increase reaching 95.68% compliance.

*Reasons for Delay in Timely Transition and Number of Days beyond the Third Birthday*

In 2008-2009, there were 4,146 children referred from Part C with 210 children who did not receive a timely transition. In 2009-2010, there were 4,617 children referred from Part C with 188 children who did not receive a timely transition. This represented an 11% increase in the total number of transitioning children and a 2.2% reduction in the number of children not receiving a timely transition.

Part B Circumstances. The largest number of reported delays (n=95) fell in the "Part B Circumstance" category. This was also the largest category for reasons for delay during the previous year (n=122); however, the trend appears to be falling. This is identified as being related to the capacity of LEAs to conduct entry level assessments and to develop an efficient process.

Family Circumstances. The second largest number of reported delays (n=55) fell in the "Family Circumstance" category. In part, this reason for delay may be related to LEAs not employing efficient and effective practices for conducting entry level assessments and IEP meetings. For example, when a family cancels a previously scheduled entry level assessment (which would have met the timely transition goal) the LEA assessment team calendars may be too tightly booked to reschedule a timely evaluation slot. When this is so, an LEA needs to explore ways to resolve this challenge.

Part C Circumstances. The third highest reported reason for delay (n=21) relates to Part C failing to notify or issue transition planning meeting invitations to Part B in a timely manner when a child was in the Part C system prior to 2 years, 9 months of age. This would suggest the need to emphasize collaborative planning and tracking between both programs.

Child Circumstance. This was the lowest reason of the reported delays (17) but would also suggest that when a cancellation for an entry level assessment occurs due to child sickness that the rescheduling process may be hampered by tightly booked assessment team schedules. Of the one-hundred, eight-eight (188) children placed beyond the third birthday, the most placements were made 41 days or more beyond the third birthday. This, too, was the largest time increment in delays for 2006-2007 (n=364) and 2007-2008 (n=202); however there is a downward sloping trend across the SPP/APR reporting periods.

*Statewide Progress on Improvement Activities for 2009-2010:*

Monitoring- Focused Monitoring and Verification Visits. The self-reported data was not received by the Department until October 15, 2010. Therefore, twenty LEAs were randomly selected and on-site monitoring visits were conducted in November, 2009 for LEAs who reported that some of the 2009-2010 transitioning children had not been placed on time. Factors for random selection included location and size of LEAs so that a representative sample could be obtained. In addition to file reviews, verification questions included: 1) What is the mechanism for tracking data for this indicator; how is the data gathered from the schools, 2) What is the process for tracking the individual timeline for each student? 3) Who is responsible at each step? 4) Show the tracking document.

Technical Assistance – Indicator 12 Notification Tracking Spreadsheet. A self-calculating spreadsheet was developed which assists LEAs in tracking children for whom they receive child find notification directory lists from Part C. The spreadsheet calculates the date in which the child will turn 2 years, 9 months of age (last day in which a timely Transition Planning Conference (TPC) can be held). It also assists LEAs in identifying which children they have not received an invitation to the TPC. Additional information allows LEAs to track the 90 day timeline for Indicator 11, and timely placements for Indicator 12. Drill down information is also included in which LEAs can identify trends relative to individual service coordinators, and individual diagnosticians.



Data Collection System – The data collection was not incorporated into the Comprehensive Exceptional Children Accountability System (CECAS) due to the ongoing changes in the data collection procedures as guided by OSEP. An excel spreadsheet was developed for each LEA to submit their Indicator 12 data with the updates to reflect current changes in the Indicator 12 measurement table.

Professional Development- Regional Preschool Coordinators Meetings (Fall 2009 and Spring, 2010). Eight (8) regional meetings were held in a virtual venue to overcome the state travel restrictions in the fall of 2009. In addition, eight (8) face to face meetings were held in the spring. The content of each three hour meeting was developed by NCDPI staff on transition practices and procedures. PowerPoint presentations, handouts, and references to online resources were provided to address issues in transition such as: a) Child Find in North Carolina- reviewing the system by referral source, policies, and procedures, c) Understanding the difference between child find notification practices from Part C and individual child notification (invitation to the transition conference). In the spring 83% of all the state preschool coordinators attended the face to face meeting. The Part C and B coordinators intentionally developed a series of self-assessment questions in which the Part B coordinators were queried and data collected. As a result of this self-assessment, the Part C and B programs are designing a document and process called the “Catchment Area Transition Plan” in which local lead agencies will agree and commit to unified and consistent practices around transition data sharing, processes for scheduling the transition conferences, and more.

Professional Development- State Preschool Coordinator's Orientation Meeting (Spring, 2009). One statewide meeting was held for two days with the focus on new Coordinator Orientations, training on the State Performance Plan and Annual Performance Report process, and transition policies, practices and procedures. Staff from NCDPI and NECTAC conducted the sessions.

Professional Development- North Carolina Interagency Coordinating Council Web Conferences (n=3): “Reporting Child Find and Transition Activities of the LICCs’”. NCICC-LICC Support Subcommittee facilitated discussions about relevant child find and transition activities within the LICCs to support the Part C and B 619 Programs.

Collaboration and Coordination- North Carolina Coordinating Council (LICC) Child Find & Transition Activities North Carolina is unique in that NC General Statute 143B states that the council shall advise the Departments of Health and Human Services and other appropriate agencies in carrying out their early intervention services and the Department of Public Instruction and other appropriate agencies in their activities related to the provision of special education services for preschoolers. The name of the Council is the North Carolina Interagency Coordinating Council for Children Ages Birth to Five with Disabilities and Their Families. The Department has been an active and participating member with multiple representatives since March, 2003. The Part B, 619 program utilizes state set-aside funds to support mini-grants to the 91 LICCs for the purpose of supporting child find and transition activities at the local level. A statewide reporting tool was designed to capture the frequency of six listed transition activities; however, the 2009-2010 data collection was incomplete at the time of reporting. The transition topics include:

1. Discussion(s) about specific local procedures for transition between Infant Toddler or Preschool/Exceptional Children early intervention programs as indicated by state level interagency agreement.
2. Assist in the development or dissemination of a list of community resources and contacts for children who may not qualify for early intervention services.
3. Assist in the development or dissemination of a list of community resources and contacts for children enrolled in the Infant Toddler or Preschool/Exceptional Children early intervention programs.
4. Provide information on local orientation program for new professionals with information on early intervention community programs, contacts, referral procedures, and transition practices.
5. Provide information on local community forum(s) that address community transition issues and procedures between programs.

Policies, Practices, and Procedures- Part B and C Coordinators and program leadership conducted joint planning sessions to discuss how the programs would revise the current NC Guiding Practices in Early Childhood Transitions and Frequently Asked Questions documents to reflect updated guidance from OSEP in the newly released Transitions FAQ and Synthesis documents. Both the Part B and C Coordinators attending work session with the RRCs to gain technical assistance in conducting self-assessments, adjust policies around our definition of children enrolled in the Part C program who may be “potentially eligible” for the Part B program and therefore provided notification about said children for the purposes of reporting and tracking. The Part B Coordinator took part in collaborative stakeholder discussions with the Part C lead agency directors. Likewise, the Part C Coordinator and the lead Part C monitors took part in a Part B stakeholder process with LEA preschool coordinators and representatives. This work is on-going.

Program Development – Preschool Assessment Center Initiative. A professional development model was developed to assist with building the states capacity to conduct developmentally and culturally appropriate assessment on very young children. Eight LEAs were selected and funded (5 LEA in FFY 2007 and 3 new LEAs in FFY 2008) to become best practice centers for demonstration purposes. Training of these assessment teams and their administrators began in the summer, 2008 and continues. Each of the regional demonstration teams have:

- Facilitated regional trainings to diagnostic teams in conducting transdisciplinary play-based assessments, and assessments for diagnosing Autism
- Provided follow-up on-site demonstrations and
- Technical assistance and coaching to visiting diagnostic teams.

The model also intentionally addresses practices which are family friendly, efficient and addresses the lack of available personnel to conduct assessments in some areas of the state. The major components of the model include:

- Trans-disciplinary Play-based Assessments (Linder, 2008),
- Touchpoints (T. Berry Brazelton)-model for developing family relationships and communication practices,
- Business model which includes-
  - conducting community wide screen clinics,
  - scheduling and report writing practices

#### **2009-10 Compliance Findings:**

#### **Correction of FFY 2008 Findings of Noncompliance (if State reported less than 100% compliance)**

Level of compliance (actual target data) State reported for FFY 2008 for this indicator: **92.8%**

|   |           |
|---|-----------|
| 1. Number of findings of noncompliance the State made during FFY 2008 (the period from July 1, 2008 through June 30, 2009)                                | <b>29</b> |
| 2. Number of FFY 2008 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding) | <b>27</b> |
| 3. Number of FFY 2008 findings <u>not</u> verified as corrected within one year [(1) minus (2)]   | <b>2</b>  |

**Correction of FFY 2008 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):**

|   |          |
|---|----------|
| 1. Number of FFY 2008 findings not timely corrected (same as the number from (3) above)                                   | <b>2</b> |
| 2. Number of FFY 2008 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction") | <b>2</b> |
| 3. Number of FFY 2008 findings <u>not</u> yet verified as corrected [(4) minus (5)]                                       | <b>0</b> |

**Actions taken if Noncompliance Not Corrected**

N/A

**Verification of Correction (either timely or subsequent)**

1) Twenty-nine (29) of twenty-nine (29) LEAs submitted, within the one year timeline, to the NCDPI data/evidence for child-specific findings that children referred by Part C prior to age 3 and who are found eligible for part B have an IEP developed and implemented, although late.

2) Twenty-seven (27) of the LEAs submitted the following documentation that they are correctly implementing the specific regulatory requirements: 1) an updated Transition Planning document that outlines their processes and procedures; 2) revised improvement activities in their CIPPs; and new Indicator 12 data for the first quarter. EC Division consultants reviewed the new data and information to verify that the LEAs are correctly implementing the specific regulatory requirements.

3) Two (2) LEAs with FFY 2008 (2008-09) findings subsequently corrected the findings. In addition to submitting evidence of correction of child-specific findings, as noted in # 1 above, the LEAs submitted the following documentation, as evidence that they are correctly implementing the specific regulatory requirements: 1) a quarterly Indicator 12 tracking spreadsheet, including quarterly Indicator 12 data for 2010-11; 2) a revised transition planning document that outlines their processes and procedures; 3) revisions to improvement activities in their CIPPs; 4) on-site technical assistance; and 5) on-site record reviews. NCDPI continues to work closely with the two (2) LEAs to ensure they can continue to demonstrate compliance with this Indicator.

**Additional Information Required by the OSEP APR Response Table for this Indicator (if applicable):**

| Statement from the Response Table   | State's Response   |
|---|--|
| "If the State is unable to demonstrate compliance in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary, to ensure compliance." | NCDPI staff have reviewed the improvement activities and determined that revisions were not necessary to ensure compliance because the existing activities, along with required corrective actions, are helping to achieve progress made to ensure compliance, including State progress made |

|  |   |
|--|---|
|  | in 2009-10 and progress made on quarterly data submitted in the Fall of 2010 by LEAs that were not compliant. |
|--|---|

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2009-10:**

The 2010-11 target (100%) and 2010-11 improvement activities have been extended in the State Performance Plan for 2011-12 and 2012-13. These extensions meet the requirements for extending the State Performance Plan for two years.

## Part B State Annual Performance Report (APR) for 2009-10

**Overview of the Annual Performance Report Development:** See description in Overview Section.

**Monitoring Priority: Effective General Supervision Part B / Effective Transition**

**Indicator 13:** Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

(20 U.S.C. 1416(a)(3)(B))

**Measurement:** Percent = [(# of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority) divided by the (# of youth with an IEP age 16 and above)] times 100.

| FFY     | Measurable and Rigorous Target           |
|---------|--|
| 2009-10 | The level of performance is 100 percent. |

**Actual Target Data for 2009-10:**

N/A – First APR reporting in FFY 2010 APR due 2/1/12

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2009-10:**

N/A – First APR reporting in FFY 2010 APR due 2/1/12

**Correction of FFY 2009 Findings of Noncompliance:**

Level of compliance (actual target data) State reported for FFY 2008 for this indicator: **N/A**

**Actions Taken if Noncompliance Not Corrected:** N/A

**Verification of Correction (either timely or subsequent):** N/A

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2009-10:** N/A

**Part B State Annual Performance Report (APR) for 2009-10**

**Overview of the Annual Performance Report Development:** See description in Overview Section.

|   |
|---|
| <b>Monitoring Priority: Effective General Supervision Part B / Effective Transition</b> |
|---|

**Indicator 14:** Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:

- A. Enrolled in higher education within one year of leaving high school.
- B. Enrolled in higher education or competitively employed within one year of leaving high school.
- C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.

(20 U.S.C. 1416(a)(3)(B))

|                     |
|---------------------|
| <b>Measurement:</b> |
|---------------------|

|   |
|---|
| <p>A. Percent enrolled in higher education = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.</p> |
|---|

|  |
|--|
| <p>B. Percent enrolled in higher education or competitively employed within one year of leaving high school = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education or competitively employed within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.</p> |
|--|

|  |
|--|
| <p>C. Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.</p> |
|--|

| FFY     | Measurable and Rigorous Target                       |
|---------|--|
| 2009-10 | N/A – First APR reporting in FFY 2010 APR due 2/1/12 |

**Actual Target Data for 2009-10:**

N/A – First APR reporting in FFY 2010 APR due 2/1/12

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2009-10:**

N/A – First APR reporting in FFY 2010 APR due 2/1/12

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines /  
Resources for 2009-10: N/A**



**Part B State Annual Performance Report (APR) for FFY 2009**

**Overview of the Annual Performance Report Development:** See description in the Overview Section

|  |
|--|
| <b>Monitoring Priority: Effective General Supervision Part B / General Supervision</b> |
|--|

**Indicator 15:** General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.

(20 U.S.C. 1416 (a)(3)(B))

|  |
|--|
| <p><b>Measurement:</b></p> <p>Percent of noncompliance corrected within one year of identification:</p> <ul style="list-style-type: none"> <li>a. # of findings of noncompliance.</li> <li>b. # of corrections completed as soon as possible but in no case later than one year from identification.</li> </ul> <p>Percent = [(b) divided by (a)] times 100.</p> <p><b>States are required to use the “Indicator 15 Worksheet” to report data for this indicator (see Attachment A).</b></p> |
|--|



| FFY     | Measurable and Rigorous Target  |
|---------|---|
| 2009-10 | 100% Identification and correction of noncompliance as soon as possible but not later than one year |

**Actual Target Data for FFY 2009:**

| FFY     | # of Findings Corrected | # of Findings to Be Corrected | Rate  |
|---------|-------------------------|-------------------------------|-------|
| 2009-10 | 471                     | 504                           | 93.5% |

**Describe the process for selecting LEAs for Monitoring:**

All Local Educational Agencies (LEAs), charter schools, and State Operated Programs (SOPs) are required to submit a Continuous Improvement Performance Plan (CIPP), on a yearly basis. If a new charter school is established, it will complete the self-assessment process and subsequently submit a CIPP annually.

North Carolina Department of Public Instruction Exceptional Children Division (NCDPIECD) implements various monitoring activities. LEAs are selected for on-site monitoring utilizing multiple data points. The following is a listing of the various monitoring activities and the process used to select the LEAs for monitoring:

1. Focused Monitoring is conducted in four (4) LEAs each year. The LEAs are selected based on the following considerations:
  - A. Size of district,
  - B. Graduation rates for students with disabilities,
  - C. Dropout rates for students with disabilities, and
  - D. Compliance rates for transition components of the IEP.
2. Targeted on-site visits are based on data for Indicators 4A, 4B, 9, and 10. If a district has a suspension rate that is twice the state average or greater, a review of the district's discipline policies, procedures, and practices is conducted, as well as an on-site visit when required. Baseline data for Indicator 4B is being reported in the FFY 2009 SPP. The LEAs with a significant discrepancy in suspensions by race /ethnicity will be required to submit a copy of their practices and procedures. Additionally, targeted on-site visits may arise from other data indicating possible noncompliance, such as complaints or informal inquiries.  
  
Any district with disproportionate representation of racial and ethnic groups in special education and/or in a specific disability category that continued to increase rather than decrease, and its K-6 disproportionate representation was higher than the rate of ages 6-21 is monitored on-site as part of the process to determine if the disproportionate representation is due to inappropriate identification.
3. Verification Visits are conducted in LEAs based on the following considerations:
  - A. Data collected on Indicators 1-15,
  - B. Timely submission of required monitoring information,
  - C. Review of the formal state complaints, and
  - D. Date and purpose of the last NCDPIECD on-site monitoring visit.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2009:**

Indicator 15 correction of noncompliance rate for 2009-10 is 93.5% and the rate for subsequently correcting the noncompliance was 98.4%. The rate of 93.5% demonstrated an increase of 4.5 percentage points from 2008-09 to 2009-10.

Progress was due to the successful correction of all findings from formal written complaints filed during the 2008-09 and corrected during 2009-10.

Additional personnel were contracted to assist the Dispute Resolution Consultants with complaints. The Dispute Resolution Consultants have met monthly to monitor the implementation/verification of the complaint corrective actions. The electronic data system was reviewed on a regular basis.

**Monitoring Activities of LEAs, SOPs, and Charter Schools**

In 2008-09 LEAs, charter schools, and SOPs reviewed a prescribed number of records and submitted documentation of noncompliance for Indicators 13 and 15. In June 2010, each LEA, charter school, and SOP reported corrections of noncompliance identified in 2008-09. Each was required to submit deficit sheets on individual student records documenting the correction of noncompliance. There were two charter schools that reported noncompliance in FFY 2008, but did not submit correction of noncompliance in June 2010. NCDPI Monitoring Consultants assigned to the charter schools communicated with the schools throughout the summer. On-site monitoring visits were conducted in both schools to verify the correction of noncompliance. Records the charter school had reviewed and determined noncompliant were reviewed by NCDPI personnel. Both charter schools had ongoing noncompliance that had not been

corrected. In one charter school the Exceptional Children Director was removed by the school administration and, as a result, documentation of correction of noncompliance could not be located.

NCDPI conducted 30 verification visits to review individual student records identified by the LEAs as noncompliant and, subsequently corrected, to verify the correction of noncompliance for Indicators 13 and 15, and to verify completion of referrals that had exceeded the timelines for Indicators 11 and 12 for FFY 2008-09. In addition, records were reviewed from the 2009-10 data submission to verify the subsequent correction of noncompliance. During the verification visits, each LEA was asked to discuss its mechanisms for ensuring timelines are met for Indicators 11 and 12. The Continuous Improvement Performance Plan was reviewed with district personnel and implementation of improvement activities was discussed.

Each LEA that was not 100% compliant for Indicators 11 and 12 in 2008-09 was required to submit documentation that each referral that had exceeded timelines was completed, unless the child was no longer under the jurisdiction of the LEA. Each LEA that was not 100% compliant for Indicator 13 in 2008-09 was required to submit documentation that an IEP had been developed, that includes a compliant transition component, unless the student is no longer under the LEA.

In June 2010 LEAs, charter schools, and SOPs submitted updated CIPPs for review by NCDPI.

**Timely Correction of FFY 2008 Findings of Noncompliance (corrected within one year from identification of the noncompliance):**

|   |            |
|---|------------|
| 1. Number of findings of noncompliance the State made during FFY 2008 (the period from July 1, 2008 through June 30, 2009) (Sum of Column a on the Indicator B15 Worksheet)                       | <b>504</b> |
| 2. Number of findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding) (Sum of Column b on the Indicator B15 Worksheet) | <b>471</b> |
| 3. Number of findings <u>not</u> verified as corrected within one year [(1) minus (2)]  | <b>33</b>  |

**FFY 2008 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance and/or Not Corrected):**

|   |           |
|---|-----------|
| 4. Number of FFY 2008 findings not timely corrected (same as the number from (3) above)                                   | <b>33</b> |
| 5. Number of FFY 2008 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction") | <b>25</b> |
| 6. Number of FFY 2008 findings <u>not</u> yet verified as corrected [(4) minus (5)]                                       | <b>8</b>  |

**Actions Taken if Noncompliance Not Corrected:**

As a result of the on-site verification visits, the previous noncompliance reported by the school was confirmed and the LEAs were instructed to correct the records within 20 days. The monitoring consultants provided follow-up technical assistance on correcting noncompliance in areas identified. The charter schools were unable to attain systemic compliance prior to the FFY 2009 APR submission. Ongoing technical assistance is being provided and follow-up on-site verification visits are scheduled within the next two months. In both charter schools there was a change of personnel. In most charter schools there is only one exceptional children staff member due to the low number of students with

disabilities. This staff member is often responsible for teaching students, as well as handling all exceptional children administrative responsibilities. When the exceptional children staff member leaves, there is often no follow-through with the administrative requirements and timelines. For this reason NCDPI will be establishing a new system of supports for charter schools. The continuing lack of correction of noncompliance will be reflected in the LEA public report and the determinations for FFY 2009. When the charter schools are seeking renewal of their charter, the Exceptional Children Division is required to report on all noncompliance in the area of exceptional children.

**Verification of Correction for findings of noncompliance reported in the FFY 2009 APR (either timely or subsequent):**

NCDPI has instructed LEAs to submit documentation that noncompliance has been corrected. This is done through submitting signed deficit sheets verifying the date and method of correction, sending copies of corrected paperwork, and for some, requiring quarterly reports. Thirty (30) on-site verification visits were conducted by monitoring consultants to verify the correction of noncompliance from FFY 2008-09 found in the compliance indicators. For all compliance indicators NCDPI monitoring consultants reviewed the corrections of noncompliance, as well as new data to verify ongoing adherence with the specific regulatory requirements. LEAs visited had corrected the noncompliance for 2008-09.

**Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2008 (including any revisions to general supervision procedures, technical assistance provided and/or any enforcement actions that were taken):**

The specific actions taken were:

1. LEAs were required to provide a statement of assurance that the data submitted were verified and are accurate;
2. Documentation of correction of noncompliance was submitted;
3. Thirty (30) on-site verification visits were conducted in the Fall of 2010;
4. Record review training which include directions on how to correct areas of noncompliance were held throughout the state;
5. NCDPI staff provides ongoing technical assistance through emails, phone calls and regional meetings;
6. Presentations were conducted at the NCDPI annual conference, Charter School conference, the new Charter School Administrator's Conference, and the new Exceptional Children Directors Institute;
7. *North Carolina Policies Governing Services for Children with Disabilities* was revised and amended to clarify state and federal requirements; and Enforcement actions were addressed in complaints where noncompliance was found.

## Part B State Annual Performance Report (APR) for 2009-10

Overview of the Annual Performance Report Development: See description in Overview Section.

|  |
|--|
| <b>Monitoring Priority: Effective General Supervision Part B / General Supervision</b> |
|--|

Indicator 16: Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.

(20 U.S.C. 1416(a)(3)(B))

|  |
|--|
| Measurement: Percent = [(1.1(b) + 1.1(c)) divided by 1.1] times 100. |
|--|

| FFY 2009 | Measurable and Rigorous Target   |
|----------|--|
| 2009-10  | 100% of signed written complaints with reports issued will be resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint. |

## Actual Target Data for FFY 2009:

| Year               | Complaints with Reports Issued | Reports within Timelines / Extended Timelines | Rate | Progress/Slippage from 2008-09 |
|--------------------|--------------------------------|---|------|--------------------------------|
| FFY 2009 (2009-10) | 51                             | 50  | 98%  | -2.0                           |

## FFY 2009 Data from Table 7:

|   |    |
|---|----|
| (1) Written, signed complaints total                                | 75 |
| (1.1) Complaints with reports issued                                | 51 |
| (a) Reports with findings of noncompliance                          | 42 |
| (b) Reports within timeline (within 60 days)                        | 44 |
| (c) Reports within extended timelines (Approved; more than 60 days) | 6  |
| (1.2) Complaints withdrawn or dismissed                             | 24 |
| (1.3) Complaints pending  | 0  |
| (a) Complaints pending a due process hearing                        | 0  |

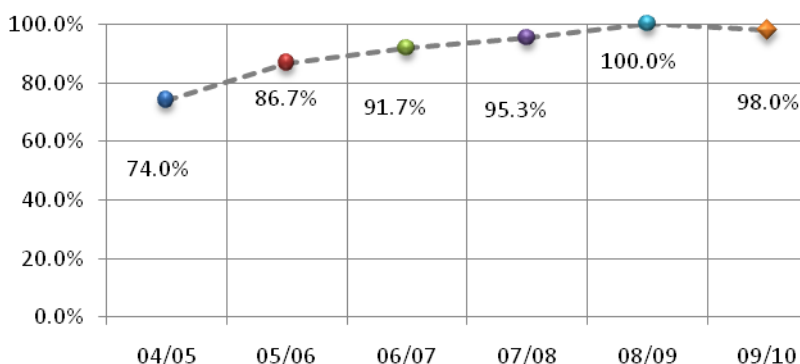
Discussion of Improvement Activities Completed and Explanation of Progress or Slippage

**that occurred for 2009-10:**

North Carolina did not meet the target of 100% of signed written complaints with reports issued being resolved within the 60-day timeline or a timeline extended for exceptional circumstances. One report was issued two days beyond the 60-day timeline. The data from FFY 2009 indicate a decrease from 100% to 98%. This is a decrease of two (2) percentage points.

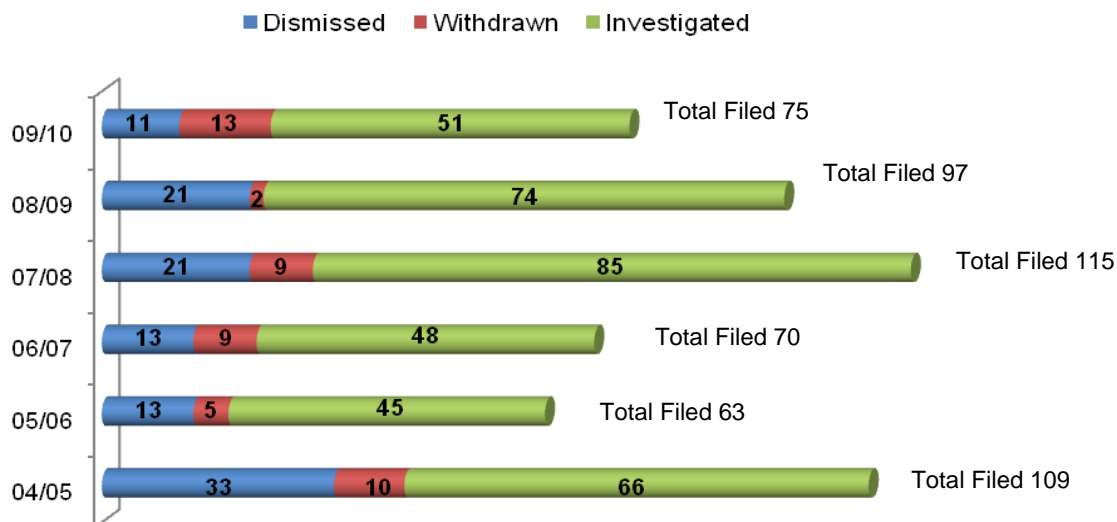
**Indicator 16 Historical and Current Data**

**Indicator 16 Percentage of Reports Issued within the 60-day Timeline or an Extended Timeline**



During FFY 2009, the SEA received seventy-five (75) complaints and investigated fifty-one (51). This is a decrease in both the number of complaints received and the number investigated from FFY 2008, when the SEA received ninety-seven (97) complaints and investigated seventy-four (74).

During FFY 2009, thirteen (13) complaints were resolved at the local level and withdrawn. This was an increase of eleven (11) complaints resolved locally or seventeen percent (17.3%) of the complaints that were filed.



| Activity   | Timeline                      | Status   |
|--|-------------------------------|--|
| Analyze and evaluate the complaint system's implementation process to include:   | January 30, 2006 and Annually |  |
| 1. Reviewing the responsibilities of dispute resolution consultants.   |                               | 1. The SEA is planning to employ a fourth dispute resolution consultant to assist with complaint investigations, monitoring of corrective action plans, and other duties. This will allow the consultants to engage more in activities that are proactive including, but not limited to, conducting trainings with LEAs.   |
| 2. Streamlining the review of correspondence for the complaint system.   |                               | 2. During the latter part of FFY 2009, the SEA made some changes in the signature process regarding letters and reports to the superintendents. This has helped with letters of insufficiency and closing letters, but not with the notification letters and complaint reports.  |
| 3. Managing the responsibilities for the other forms of dispute resolution, i.e., facilitation, mediation, resolution meetings, due process databases, and paperwork.  |                               | 3. After reviewing the duties of the consultant who coordinates the facilitation program, some assistance was provided during the peak times of the year for facilitation requests.  |
| 4. Evaluate the effectiveness and efficiency of the early resolution process.  | July 2006 and Annually        | 4. Information regarding the change in the procedures, that now requires either party to submit a copy of the signed resolution or mediation agreement for the complaint to be withdrawn, has not been widely disseminated; therefore, most LEAs are not aware that a signed agreement will suffice.   |
| 5. Analyze and evaluate the complaint system's implementation process to include managing incoming telephone calls/emails, and responses by exploring other means of doing so, e.g. by employing a parent ombudsman and/or relieving each consultant from this responsibility one or more days per week. | July 2008 and Annually        | 5. Assigning each of the three consultants to receive all the incoming calls one day per week has been somewhat successful; however, the two consultants who are supposed to have uninterrupted time do not. Each consultant has a direct line; therefore, the only calls that go to the consultant with phone duty are the ones that are made to the main number for the EC Division. |

|  |                        |  |
|--|------------------------|--|
| 6. Utilize technology, e.g. web-based modules, distance learning, etc. to make training on the IDEA Federal Regulations, State Policies, and Dispute Resolution more readily available to stakeholders across the state. | July 2008 and Annually | 6. Attempts to keep the website updated and post training materials in a timely manner have been partially successful. The approval process and requirement to send material to another division for posting is not efficient. |
|--|------------------------|--|

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2009-10:**

The 2010-11 target (100%) and 2010-11 improvement activities have been extended in the State Performance Plan for 2011-12 and 2012-13. These extensions meet the requirements for extending the State Performance Plan for two years.



**Part B State Annual Performance Report (APR) for 2009-10**

**Overview of the Annual Performance Report Development:** See description in Overview Section.

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|--|
| <b>Monitoring Priority: Effective General Supervision Part B / General Supervision</b> |
|--|

**Indicator 17:** Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.

(20 U.S.C. 1416(a)(3)(B))

|   |
|---|
| <b>Measurement:</b> Percent = $[(3.2(a) + 3.2(b)) \text{ divided by } 3.2] \text{ times } 100.$ |
|---|

| FFY     | Measurable and Rigorous Target   |
|---------|--|
| 2009-10 | 100% of the fully adjudicated due process hearing requests will be completed with written decisions issued within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party. |

**Actual Target Data for 2009-10:**

100% of the fully adjudicated due process hearing requests were completed within the 45-day timeline or a timeline that was properly extended by the hearing officer at the request of either party.

|   |    |
|---|----|
| Due process complaints total                  | 54 |
| Hearings (fully adjudicated)                  | 2  |
| Decisions within timeline (include expedited) | 1  |
| Decisions within extended timeline            | 1  |
| Resolved without a hearing                    | 39 |

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2009-10:**

The NCDPI met the target of 100% for 2009-10, as has been done annually since the 2006-07 school year. The data for this target is from Table 7 (see above). The NCDPI attributes the maintenance of the 100% target to the continued monitoring of timelines and communication with the Office of Administrative Hearings to ensure that timelines are met.

*Improvement Activities:*

| Activity  | Timeline                           | Status  |
|---|------------------------------------|---|
| Develop an interagency agreement with the Office of Administrative Hearings regarding each agency's responsibilities to ensure that due process hearings are implemented according to the IDEA regulations. | June 30, 2006 and updated annually | The Memorandum of Understanding, which was signed on June 30, 2006, has been reviewed annually by the Office of Administrative Hearings and the Exceptional Children Division. Both parties agreed that no changes were needed in 2009-10.  |
| Provide training to hearing and review officers.  | March 2006-10                      | The EC Division invited all Administrative Law Judges and review officers to attend the Division's annual conference in November 2009 and EC Administrators' Institute in March 2010.   |
| Meet regularly with the OAH to review data and procedures to enhance processes.   | February 2007-2010                 | An Exceptional Children Division's Consultant for Dispute Resolution and an Office of Administrative Hearings' (OAH) administrative law judge maintained weekly communication. The two agencies' staff members discussed the progress and/or status of each case as it relates to timelines, including scheduling of hearings and implementation of timelines, during their weekly communications. The Consultant for Dispute Resolution called or e-mailed the ALJ and his/her clerk prior to the timeline or extended timeline as a reminder. |
| Meet regularly with the OAH to review data and procedures to enhance processes.   | February 2010-2011                 | An Exceptional Children Division's Consultant for Dispute Resolution and an Office of Administrative Hearings' (OAH) staff member maintained regular communication about the status of due process case regarding timelines through telephone calls, meetings, and e-mail. The Consultant for Dispute Resolution called or e-mailed the ALJ and his/her   |

|  |  |   |
|--|--|---|
|  |  | clerk prior to the timeline or extended timeline as a reminder. |
|--|--|---|

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2009-10:**

|  |             |  |
|--|-------------|--|
| During the next cycle of NC's new Exceptional Children Directors' Leadership Institute, the Exceptional Children Division will provide and evaluate specialized training in negotiation skills for all new LEA EC Directors. | 2009 - 2010 | One presentation has been made at the New EC Directors' Leadership Institute regarding the mediation program. More presentations are planned for the 2009-10 school year. Presentations regarding using the mediation program have been made at 2 of 8 regional EC Directors' meetings. The presentations for the remaining 6 regions will be made during the 2009-10 school year. |
|--|-------------|--|

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2009-10:**

The 2010-11 target (100%) and 2010-11 improvement activities have been extended in the State Performance Plan for 2011-12 and 2012-13. These extensions meet the requirements for extending the State Performance Plan for two years.

## Part B State Annual Performance Report (APR) for 2009-10

**Overview of the Annual Performance Report Development:** See description in Overview Section.

**Monitoring Priority: Effective General Supervision Part B / General Supervision**

**Indicator 18:** Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

(20 U.S.C. 1416(a)(3)(B))

**Measurement:** Percent = (3.1(a) divided by 3.1) times 100.

| FFY     | Measurable and Rigorous Target  |
|---------|---|
| 2008-09 | 75% to 85% of the hearing requests that go to resolution sessions will result in settlement agreements. |

**Actual Target Data for 2009-10:**

**62.8%** of hearing requests that went to resolution sessions within 15 days of receipt of a due process complaint were resolved with settlement agreements.

54 requests for due process hearings

35 resolution meetings

22 written settlement agreements (62.8%)

TABLE 7

|                               |    |
|-------------------------------|----|
| Due process complaints total  | 54 |
| Resolution meetings           | 35 |
| Written Settlement agreements | 22 |
| Hearings (fully adjudicated)  | 2  |
| Resolved without a hearing    | 39 |

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2009-10:**

The NCDPI did not meet its target range of 75% - 85% of the resolution meetings resulting in a settlement agreement.

Thirty-five (35) resolution meetings were conducted within the 15-day timeline and before the close of the FFY 2009-2010. Three (3) of the parties, that participated in resolution meetings that did not result in settlement agreements, requested mediation. One (1) mediation agreement was signed at those mediation sessions. Thirteen (13) cases remained open at the end of the 2009-10 fiscal year.

The information provided in Table 7 did not reflect the following information about resolution meetings and settlement agreements. Of the 19 cases in which the parties did not participate in resolution meetings:

- Three (3) resolution meetings were held after the 15-day timeline and resulted in settlement agreements;
- Ten (10) mediations were conducted, with six (6) settlement agreements signed;
- Two (2) cases were resolved before the resolution meeting was held;
- One (1) complaint was filed by the LEA and a resolution meeting was not required;
- One (1) complaint was withdrawn without agreement; and
- Two (2) complaints were dismissed for insufficiency.

The number of due process cases in which the parent was represented by an attorney increased substantially. The parent was represented by an attorney in 11 (58%) of the cases that did not participate in resolution meetings. Parents had no legal representation in 24 (69%) of the cases that participated in resolution meetings. The LEAs informed the SEA that resolution meetings were waived for mediation so that attorneys could be present at the meetings. The LEAs agreed to waive them in order to attempt to reach mediation agreements.

Upon notice that a request for a due process hearing has been filed, the consultant for dispute resolution contacts each EC director by e-mail and/or telephone and sends forms for reporting result, guides for reaching a resolution, and the requirements for convening a meeting within 15 calendar days of receipt of a petition. Directors reported that parents could not always meet within the prescribed timeline, and because the LEA was eager to reach a resolution, it agreed to convene the meeting within a week of the timeline. Three meetings that were held after the timeline resulted in a signed agreement. Although the SEA encourages and directs the LEA to meet the timelines, it has no control over the scheduling of those meetings in the LEAs.

| Activity  | Timeline                               | Status   |
|---|--|--|
| The SEA will distribute information about the resolution meetings through the SEA's website, state and regional workshops for LEAs, and workshops and newsletters for parent support organizations and the parent training centers. | Beginning October 25, 2005 and ongoing | Procedures were completed and upon notice that a request for hearing was filed, a packet of information was emailed to each Exceptional Children Program Director (ECPD) that, in addition to other information, contained a form to document the outcome of the resolution meeting that the LEA must complete and return to the NCDPI. The SEA contacted the ECPD in each LEA to request the resolution documentation if it was not submitted within the timelines. |

|  |             |  |
|--|-------------|--|
| The SEA will develop a document for parents explaining the resolution sessions and mediation to be distributed when a request for a hearing is filed.  | 2007-2010   | The document has been distributed during the 2009-10 school year.  |
| The Exceptional Children Division will develop and pilot a survey for LEAs and parents who participate in a resolution meeting to help the agency identify the components of a successful resolution meeting and the reasons that a resolution meeting might not result in a settlement agreement.   | 2008 - 09   | Telephone interviews were conducted with EC Program Directors and some parents. The interviews included questions about the reasons for successful outcomes or the lack of settlement agreements to determine how the SEA might increase the percentage of settlement agreements. The issues preventing the parties from reaching settlement agreements were issues that the SEA could not address (e.g., private school tuition, cash settlements for damages, or school assignment). |
| Based on a pilot, the Exceptional Children Division will revise and send a survey to LEAs and parents who participate in a resolution meeting to help the agency identify the components of a successful resolution meeting and the reasons that a resolution meeting might not result in a settlement agreement. That information will be analyzed and use to develop/refine training for LEAs, advocates, and parents. | 2009 - 2010 | Parents and LEAs were surveyed by phone during the 2009 - 10 school year.  |

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2009-10:**

The 2010-11 target (75 - 85%) and 2010-11 improvement activities have been extended in the State Performance Plan for 2011-12 and 2012-13. These extensions meet the requirements for extending the State Performance Plan for two years.

## Part B State Annual Performance Report (APR) for 2009-10

**Overview of the Annual Performance Report Development:** See description in Overview Section.

**Monitoring Priority: Effective General Supervision Part B / General Supervision**

**Indicator 19:** Percent of mediations held that resulted in mediation agreements.

(20 U.S.C. 1416(a)(3)(B))

**Measurement:**

Percent = [(2.1(a)(i) + 2.1(b)(i)) divided by 2.1] times 100.

| FFY     | Measurable and Rigorous Target                 |
|---------|--|
| 2009-10 | Mediation resulting in agreements: 75% to 85%. |

**Actual Target Data for 2009-10:**

72% of the total mediations held reached agreement.

This same data is reflected on Table 7 of 618 Report and reflects all mediations held in North Carolina.

|  |    |     |
|--|----|-----|
| (2) Total Number of mediation requests received            | 64 |     |
| (2.1) Mediations held                                      | 39 |     |
| (a) Mediations held related to due process complaints      | 12 |     |
| (i) Mediation agreements related to due process complaints | 7  | 58% |
| (b) Mediations held not related to due process petitions   | 27 |     |
| (i) Mediation agreements not related to due process        | 21 | 78% |
| (2.2) Mediations not held (including pending)              | 21 |     |

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2009-10:**

There was a 6.0 percentage point decrease in the number of mediations resulting in signed agreements from 2008-09 (80%) to 2009-10 (72%). North Carolina did not meet its target range of 75 - 85% for 2009-10 (72%).

Seventy-eight percent (78%) of the mediations not associated with a due process hearing reached agreement which was within the range of 75 - 85%. Only 58% of the mediations associated with a due process hearing reached agreement which is well below the range of 75 - 85%. While the mediators remain the same each year, the 2009-10 year reflects a significant difference in the data between mediations associated with a due process hearing and mediations not associated with a hearing. NCDPI will continue to provide professional development, outreach to parents and LEAs and support for the use of mediation to resolve issues.

*Activities completed in 2009-10:*

| Activity   | Timeline             | Status   |
|--|----------------------|--|
| Offer continuing professional development for mediators to improve and enhance their skill level.  | May 2006 and ongoing | Each of the 15 mediators attended a minimum of 15 hours of mandatory continuing education (half special education law and half mediation process training) and several mediators attended an additional third day of training. Feedback from the parties obtained after each mediation session was shared with the respective mediator. Several mediators also attended the annual EC Division Conference. Monthly, the EC Division electronically disseminated articles regarding mediation to mediators.   |
| Offer continuing outreach to parents and local education agencies regarding the benefits of mediation to (a) reduce the number of cases where mediation is declined, (b) reduce the number of state complaint investigations, and (c) reduce the number of due process hearings filed. | 2005 and ongoing     | The three Dispute Resolution Consultants conducted extensive outreach to parents, school representatives, parent attorneys and advocacy groups about the benefits of using mediation to resolve disputes. This occurred through daily phone calls from parents and school personnel; the state website; annual trainings in collaboration with the NC Parent Training and Information Center (Exceptional Children's Assistance Center); numerous trainings for LEA administrative staff; presentations at disability specific conferences; and the annual NC EC Conference. |



|  |             |  |
|--|-------------|--|
| During the next cycle of NC's new Exceptional Children Directors' Leadership Institute, the Exceptional Children Division will provide and evaluate specialized training in negotiation skills for all new LEA EC Directors. | 2009 - 2010 | One presentation has been made at the New EC Directors' Leadership Institute regarding the mediation program. More presentations are planned for the 2009-10 school year. Presentations regarding using the mediation program have been made at 2 of 8 regional EC Directors' meetings. The presentations for the remaining 6 regions will be made during the 2009-10 school year. |
|--|-------------|--|

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2009-10:**

The 2010-11 target (75 – 85%) and 2010-11 improvement activities have been extended in the State Performance Plan for 2011-12 and 2012-13. These extensions meet the requirements for extending the State Performance Plan for two years.

**Part B State Annual Performance Report (APR) for 2009-10**

**Overview of the Annual Performance Report Development:** See description in Overview Section.

|  |
|--|
| <b>Monitoring Priority: Effective General Supervision Part B / General Supervision</b> |
|--|

**Indicator 20:** State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.

(20 U.S.C. 1416(a)(3)(B))

|                     |
|---------------------|
| <b>Measurement:</b> |
|---------------------|

|   |
|---|
| State reported data, including 618 data, State Performance Plan, and Annual Performance Reports, are: |
|---|

- |   |
|---|
| <ul style="list-style-type: none"> <li>a. Submitted on or before due dates (February 1 for child count, including race and ethnicity; placement; November 1 for exiting, discipline, personnel and dispute resolution; and February 1 for Annual Performance Reports and assessment); and</li> <li>b. Accurate, including covering the correct year and following the correct measurement.</li> </ul> |
|---|

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|--|
| States are required to use the "Indicator 20 Scoring Rubric" for reporting data for this indicator (see Attachment B). |
|--|

| FFY     | Measurable and Rigorous Target   |
|---------|--|
| 2009-10 | 100% of State reported data (618 and Annual Performance Report) are timely and accurate. |

**Actual Target Data for 2009-10: 100%**

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:**

To ensure error free, consistent, valid and reliable data, various reporting systems are used to gather data throughout the state agency. Data were collected from the December 1 Child Count, September Exiting Count, Personnel Survey, Discipline (Suspensions/Expulsions), Report on the Participation and Performance of Students with Disabilities on State Assessments, State Performance Plan (SPP) and the Annual Performance Report (APR).

Child Count and Exiting Count – Data were collected through the Comprehensive Exceptional Children Accountability System (CECAS). Data reliability was ensured through validations on the data entry process and validations in the reporting process. Data entry validations ensured that users were protected from entering inconsistent data. Reporting validations utilized advanced algorithms to ensure counts were unique and student moves (between school systems) did not result in duplicated student counts. Additionally, LEA Exceptional Children Directors were required to review the reported numbers and submit the data for NCDPI to obtain an electronic signature. If the Exceptional Children Director designated personnel to submit the data, a verification form was required from the Exceptional Children Director and mailed to NCDPI. The Child Count was collected from December

1<sup>st</sup> through December 15<sup>th</sup>. The Exiting Count was collected from September 11<sup>th</sup> through September 21<sup>st</sup>. CECAS personnel are available to assist LEAs with the reporting process. Information regarding the reliability and validity of CECAS can be found at <http://www.nccecas.org>.

Report of the Participation and Performance of Students with Disabilities on State Assessments – Assessment data were collected by the Accountability Services Division and students with disabilities data were collected through (CECAS). The aggregated Part B 618 State Assessment Report was a collaborative effort between the Reporting Section in the Accountability Services Division-Data, Stewards of all NCDPI Assessment data; the EC Delivery Team (CECAS); and EC Division staff in Policy, Monitoring, and Audit Section. The North Carolina State Board of Education Policies and Legislative Requirements for the NC Testing Program can be found at <http://www.ncpublicschools.org/accountability/policies/general>. The Accountability Division had its own mechanisms in place to ensure that the assessment data were valid and reliable. The documents that outline the accuracy and reliability of assessment data can be found at <http://www.ncpublicschools.org/accountability/policies/shared/testsecurity>.

Discipline – Although disaggregated discipline data were collected, an aggregated Part B 618 discipline data report was obtained from the Agency Operations and Management Division—Data Stewards of all NCDPI Discipline data. Mechanisms were in place to ensure that the discipline data were valid and reliable. The document that outlines the accuracy and reliability of discipline data can be found at <http://www.ncpublicschools.org/research/discipline/reports/>.

Personnel – Disaggregated personnel data were collected from school systems via the annual web-based 611 Part B EC grant applications through the CECAS system. Personnel data were aggregated at NCDPI. Mechanisms were in place to ensure that the personnel data were valid and reliable.

State Performance Plan (SPP) - North Carolina submitted the SPP on February 1, 2011. It included Indicator 4b, Indicator 7 with updated baseline data, Indicator 13, and Indicator 14, along with required extensions to targets and improvement activities for all Indicators through 2012-13.

Annual Performance Report (APR) – North Carolina submitted the APR on February 1, 2011. The Indicators in the APR include the actual target data for 2008-09 (Indicators 1, 2, & 4a) or 2009-10 (Indicators 3a-3c, 5a-5c, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, & 20) and any revisions to Indicators, measurements, targets and/or improvement activities that were also made in the SPP.

| Activities  | Timeline         | Status   |
|---|------------------|--|
| NCDPI will ensure that CECAS integrates with the North Carolina Window of Information on Student Education (NCWISE) and other data systems. | 2006 and ongoing | <b>Continuing</b> – The EC Delivery Team and EC Division staff continue to work collaboratively with NCDPI's CEDARS project that will integrate all agency data into one data warehouse, allowing users to pull data based a unique i.d. assigned to each student. A CEDARS project consultant and EC Division staff completed the reports for integrating data needed for certain SPP/APR Indicators into the data warehouse. |

|   |                           |   |
|---|---------------------------|---|
| Continue to provide Agency Operations and Management Division with Child Count and Exiting Data for submission through EDEN | November 2006 and ongoing | <b>Completed for 2009-10</b>  |
| NCDPI will continue to investigate duplicate collection of special education data via EDEN.                                 | 2005 and ongoing          | <b>Completed for 2009-10</b>  |
| Conduct On-Site Child Count Audits to ensure LEAs are reporting accurate data.  | 2007 and ongoing          | <b>Continuing</b> – The EC Delivery Team and EC Division staff followed up with individual districts for edit checks. Data verifications were conducted while on-site for Focused Monitoring, targeted record reviews, and other on-site reviews. |
| Remain knowledgeable of additional EDEN submission requirements.  | 2006 and ongoing          | <b>Completed for 2009-10</b> – NCDPI staff participate in meetings and conferences sponsored by OSEP, CCSO, such as the Data Managers' Conference, EIMAC meetings, to stay abreast of submission requirements.                                    |
| CECAS Trainer and Regional CECAS Trainers will conduct ongoing trainings for the Child Count and Exiting process.           | 2006 and ongoing          | <b>Completed for 2009-10</b> – Training was conducted at the annual EC statewide conference, semi-annual EC Administrators' Institutes and regional meetings.   |

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2009-10:**

The 2010-11 target (100%) and 2010-11 improvement activities have been extended in the State Performance Plan for 2011-12 and 2012-13. These extensions meet the requirements for extending the State Performance Plan for two years.